United Nations S/PV.8245

Security Council

Seventy-third year

Provisional

8245th meeting
Thursday, 26 April 2018, 4.50 p.m.
New York

President:	Mr. Tenya	(Peru)
Members:	Bolivia (Plurinational State of)	Mr. Inchauste Jordán
	China	Mr. Zhang Dianbin
	Côte d'Ivoire	Mr. Akiapo
	Equatorial Guinea	Ms. Avomo Sima
	Ethiopia	Ms. Habtemariam
	France	Mr. Melki
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Bourisly
	Netherlands	Mr. Van Oosterom
	Poland	Mr. Mielus
	Russian Federation	Mr. Volgarev
	Sweden	Mr. Vaverka
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Ms. French

Agenda

Peacebuilding and sustaining peace

Report of the Secretary-General on peacebuilding and sustaining peace (S/2018/43)

Letter dated 9 April 2018 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General (S/2018/325)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-12533 (E)

Accessible document Please recycle

The meeting was called to order at 4.50 p.m.

Adoption of the agenda

The agenda was adopted.

Peacebuilding and sustaining peace

Report of the Secretary-General on peacebuilding and sustaining peace (S/2018/43)

Letter dated 9 April 2018 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General (S/2018/325)

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2018/373, which contains the text of a draft resolution submitted by Peru.

I wish to draw the attention of Council members to document S/2018/43, which contains the report of the Secretary-General on peacebuilding and sustaining peace.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Bolivia (Plurinational State of), China, Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Spanish*): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2413 (2018).

As this is the last scheduled meeting of the Council for the month of April, let me express the sincere appreciation and thanks of the delegation of Peru to the members of the Council, especially my colleagues the Permanent Representatives, the Deputy Permanent Representatives, the political coordinators and their respective staff, and to the secretariat of the Council for all the support they have generously given to us.

It has been a busy month, and one in which we rallied to consensus on several important issues within our purview. We could not have done it alone or without the hard work, support and positive contributions of every delegation and the representatives of the Secretariat, as well as all the relevant conference service officers, interpreters, translators and security staff.

As we end our presidency, I know I speak on behalf of the Council in wishing the delegation of Poland the best of luck in the coming month.

The meeting rose at 4.55 p.m.

United Nations S/PV.8246

Security Council

Seventy-third year

Provisional

8246th meeting
Friday, 27 April 2018, 3 p.m.
New York

President:	Mr. Duclos	(Peru)
Members:	Bolivia (Plurinational State of)	Mr. Inchauste Jordán
	China	Mr. Shen Bo
	Côte d'Ivoire	Mr. Dah
	Equatorial Guinea	Mrs. Mele Colifa
	Ethiopia	Ms. Guadey
	France	Mr. Delattre
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Almunayekh
	Netherlands	Mr. Van Oosterom
	Poland	Mr. Lewicki
	Russian Federation	Mr. Safronkov
	Sweden	Mr. Orrenius Skau
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Ms. Tachco

Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2018/277)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-12770 (E)

Accessible document Please recycle

The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2018/277)

The President (*spoke in Spanish*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2018/394, which contains the text of a draft resolution submitted by the United States of America.

I wish to draw the attention of Council members to document S/2018/277, which contains the report of the Secretary-General on the situation concerning Western Sahara.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:
Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:
None

Abstaining:
China, Ethiopia, Russian Federation

The President (*spoke in Spanish*): The draft resolution received 12 votes in favour, none against and three abstentions. The draft resolution has been adopted as resolution 2414 (2018).

I now give the floor to those members of the Council who wish to make statements after the voting.

Ms. Tachco (United States of America): The United Nations Mission for the Referendum in Western Sahara (MINURSO) is a peacekeeping mission that should have finished its job a long time ago. It is a mission that began 27 years ago, almost to the day. It is a mission that was designed to help achieve a specific purpose — one that it has not yet completed. That is not the fault of MINURSO. The fact is that we, as a Security Council, have allowed Western Sahara to lapse into a textbook example of a frozen conflict. And MINURSO is a textbook example of a peacekeeping mission that no longer serves a political purpose.

So this year, the United States has taken a different approach with this renewal. Our goal is to send two messages. The first is that there can be no more business as usual with MINURSO and Western Sahara. The second is that the time is now to lend our support — our full support — to the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, in his efforts to facilitate negotiations with the parties.

The United States wants to see progress at last in the political process meant to resolve this conflict. That is why we have renewed the MINURSO mandate for six months, instead of one year. Over the next six months, we expect that the parties will return to the table and engage Personal Envoy Köhler. We also hope that neighbouring States will recognize the special and important role that they can play in supporting this negotiating process.

The United States emphasizes the need to move forward towards a just, lasting, and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. We continue to view Morocco's autonomy plan as serious, credible and realistic, and it represents one potential approach to satisfying the aspirations of the people of Western Sahara to run their own affairs with peace and dignity. We call on the parties to demonstrate their commitment to a realistic, practicable and enduring political solution based on compromise by resuming negotiations without preconditions and in good faith. Entrenched positions must not stand in the way of progress.

In the meantime, we expect that all parties will respect their obligations under the ceasefire and refrain from any actions that could destabilize the situation or threaten the United Nations process. Unilateral changes to the status quo on the ground will not help us get to a lasting and peaceful solution. It would be unfortunate for anyone to seek to pick apart the language in the renewal for the sake of political point-scoring. The expectation is clear. It is time to see progress towards a political

solution and, after 27 years, to stop perpetuating the status quo.

Reflecting on his time as United States Ambassador to the United Nations, John Bolton once wrote:

> "MINURSO seemed well on the way to acquiring a near-perpetual existence because no one could figure out what to do with it."

He concluded: "This could well go on forever". More than a decade later, as we gather once again here in this Chamber, Ambassador Bolton's warning has proven accurate. With today's renewal, the Security Council has taken a step towards ending this cycle. The next step will be for us to support Personal Envoy Köhler and to see real and substantive talks resume at last. Should that fail, we will then need to take a hard look at our work and our responsibilities when the Mission again comes up for renewal in six months.

Ms. Guadey (Ehiopia): We have all been following the new developments that have unfolded over the past few months surrounding the issue of Western Sahara and the undeniable progress that we have begun to see towards the relaunch of direct negotiations following the appointment of the Personal Envoy of the Secretary-General, President Horst Köhler.

In this connection, we would have liked to vote in favour of the text proposed by the United States. Unfortunately, the points raised during the negotiations on the resolution to make it much more balanced and neutral were not taken on board. We were indeed flexible in our approach and ready to engage in real negotiations to reach the desired consensus on the text, but we were not given the chance to do so, even if some if not all of our comments were reflected in the text submitted for the vote and it was put in blue without passing through the silence procedure. Therefore, we had no option but to abstain.

That having been said, however, we would like to reiterate the important role that the United Nations Mission for the Referendum in Western Sahara (MINURSO) has been playing and will play in supporting the Personal Envoy of the Secretary-General in his efforts to find a political solution to the issue of Western Sahara. We continue to urge the two parties to continue to closely cooperate with MINURSO.

The situation in Guerguerat was a matter of concern for the Council in the past, and we hope that this lingering tension will not undermine the new effort to find a political solution to the issue of Western Sahara. We call on both parties to honour their commitments to the agreement reached with MINURSO in relation to the ceasefire. While expressing our concern about the recent rhetoric towards escalation, we underline the need for both parties to refrain from taking any action that could increase tensions, which would also make it difficult to create an environment conducive to the peace process.

The recent developments, of which we are all aware, make it all the more urgent for the Council to support the work of the Personal Envoy. We hope that the fifth round of direct negotiations will be launched as quickly as possible. However, any meaningful progress in the peace process will hinge on the full cooperation of the two parties with the Personal Envoy. We therefore request the Council to engage the parties to enhance their engagement, demonstrate the necessary political will and commit themselves to resuming direct negotiations in good faith and without condition.

We also reiterate the absolute necessity for the Security Council to refrain from making any pronouncement that could potentially undermine the commitment of the parties to the peace process. As the Personal Envoy has said repeatedly, the Council should not be seen to be siding with one or the other party, which would undermine efforts aimed at facilitating the resumption of negotiations. What we tried to do during the negotiations was to heed that call and make every possible effort to balance the text so that the Council would be able to convey the right message. Unfortunately, we were not able to do so.

Finally, we would like to reiterate Ethiopia's long-standing and consistent position in support of a just, lasting and mutually acceptable political solution that would also provide for the self-determination of the people of Western Sahara, in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): The Russian Federation could not support resolution 2414 (2018). The main problem was that the process of drafting and agreeing the decision was neither transparent nor consultative. We note, unfortunately, that none of the principled and properly justified comments that we repeatedly directed to the authors — including those of a compromise nature — was taken into account. A series of useful proposals put forward by

the other members of the Council were also met with no response. As a result, the text remains unbalanced and the entire situation strengthens our doubts about the issue of informal country-specific penholderships in the Security Council.

We decided not to block the resolution because we accept the value of continuing the work undertaken by the United Nations Mission for the Referendum in Western Sahara. However, had we voted in favour of we would have abandoned our principled position in support of the existing foundations of a settlement, which, pursuant to the resolutions of the Security Council, is based on the fundamental principle that any model of settlement must be mutually acceptable. Instead, the main emphasis of the resolution is placed on such shaky and contradictory categories as practicability and realism, which could open the way for all kinds of equivocal interpretations.

We will remain an impartial and balanced player that maintains contacts with all the regional parties with which we maintain historical and friendly relations. We must warn, however, that the document that was adopted today, contrary to the expectations of its sponsors, could end up having a negative effect on the efforts of the new Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, to revive the political process. Attempts to accelerate the process could lead to an outcome that is opposite to what is sought. In that regard, we believe that a review of the mandate of the United Nations Mission is unacceptable, and we do not support efforts to mandate the Mission with the authority to monitor the human rights situation.

In addition, we absolutely do not understand why the resolution includes passages concerning generic aspects of peacekeeping, despite the fact that that is the prerogative of the Special Committee on Peacekeeping Operations of the General Assembly. For example, the work on establishing benchmarks for the effectiveness of peacekeeping operations — which, incidentally, should apply not only to the military and the police but also to the civilian components of a mission, as well as the units at Headquarters that oversee them — has not been completed. Why are we trying to prejudge events?

With regard to the initiatives of the Secretary-General to standardize the culture of performance, neither we nor the troop-contributing countries fully understand what that entails. What is it, and how can we welcome it at this stage?

The text also contains a series of provisions that undermine the impartial and balanced approach of the Security Council to the issue of Western Sahara, which we do not support. We are convinced that overcoming the differences and achieving a just and lasting settlement will be possible only by political means on the basis of the relevant resolutions of the Security Council. The ultimate formula must be acceptable both to Morocco and to the Polisario Front, and provide for the self-determination of the people of Western Sahara in the framework of procedures in line with the purposes and principles of the Charter of the United Nations. That is the key concept underpinning a settlement in Western Sahara. It is unacceptable to try and replace it with other formula.

In conclusion, I underscore that the United Nations Mission for the Referendum in Western Sahara plays an exclusively stabilizing role in establishing conditions on the ground conducive to the resumption of dialogue between Morocco and the Polisario Front. We need to encourage joint efforts to launch the negotiating process. Let us not decide the outcome in place of the parties. We are concerned about the vacuum in the process, and the failure to settle the situation in Western Sahara can be exploited by various extremist forces, which would have a negative impact the military and political situation in the entire region.

Mr. Delattre (France) (*spoke in French*): France welcomes the adoption of resolution 2414 (2018). I would like to thank the United States penholder for its efforts on the text. The resolution that we have just adopted sets out a horizon. It should enable us jointly to prevent any risk of escalation, to support the essential work of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and to encourage a constructive momentum for the political process.

Ten days ago, with a tense situation on the ground, we met in consultations with Special Representative Colin Stewart. He encouraged us to send a clear message to prevent any risk of escalation. The adoption of the resolution responds to that call by helping the situation on the ground to return to normal so that real progress can be made in the political process.

I would like to reiterate our full support for MINURSO, which is doing outstanding and indispensable work on the ground in monitoring respect for the ceasefire and in having ensured the stability of the area for years. The role of the force is

essential. Its means must be preserved. In that regard, the renewal for only six months of the Mission's mandate, which seeks to keep the Security Council mobilized in support of the political process, must be an exception. We should ensure that that does not affect the management and planning of its resources. Maintaining an annual framework ensures the stability of peacekeeping operations.

Finally, it is particularly important that the members of the Council can come together. As we have seen in recent years, we need a constructive dynamic to support a new impetus in the political process. That dynamic, which has been ongoing for several months, is essential. I would therefore like to reiterate our full support for the political process under the auspices of the Secretary-General and the facilitation of his Personal Envoy, Mr. Horst Köhler, in order to find a just, lasting and mutually acceptable political solution to the question of Western Sahara.

We hope that the mandate renewal will encourage the strengthening of that dynamic and serious and credible efforts to advance the process in accordance with the parameters set by the Security Council. The dialogue initiated in recent months thanks to meetings organized by the Personal Envoy provides opportunities in that regard. We hope that it will succeed.

Mr. Orrenius Skau (Sweden): Sweden voted in favour of resolution 2414 (2018), adopted today, because of our support for the Secretary-General's ambition to relaunch the United Nations-led political process and our firm belief that that must be our main priority. Indeed, the aim of reaching a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara, remains as valid as ever. It is now time to turn that vision into a reality.

First, the resolution provides an opportunity to break the political deadlock that has plagued the question of Western Sahara for a decade. For many years, the Security Council has recognized that the status quo is not acceptable. However, there has been a lack of political will to move the political process forward. We believe that the resolution signals that business as usual is no longer an option.

Secondly, the resolution expresses its full support for the United Nations Mission for the Referendum in Western Sahara (MINURSO), which plays a key role in a challenging environment. It also supports the efforts of President Horst Köhler, Personal Envoy of the Secretary-General for Western Sahara. Since his appointment, he has impressed all of us with his dedication, knowledge and experience.

Thirdly, the resolution makes clear that women and youth must be fully included in the political process and that they have a meaningful role to play.

Fourth, the resolution calls on the neighbouring States to make important contributions to the political process and to increase their engagement in the negotiation process.

Fifthly, the resolution encourages the parties to cooperate further with the Office of the United Nations High Commissioner for Refugees. It also highlights the plight of the Sahrawi refugees, the insufficient funding and the risks associated with the reduction of food assistance. The resolution urges the international community to provide more funding to that end.

Finally, the resolution strongly encourages the enhanced cooperation of the parties with the Office of the United Nations High Commissioner for Human Rights, including visits to the region, as none have taken place since 2015.

That having been said, there are new elements in the resolution with regard to actions taken by the parties that we find lack sufficient balance and do not fully reflect the developments on the ground. The situation must be properly re-evaluated after six months, when the Security Council will again review the mandate of MINURSO.

On procedure, as members know, we think that the Council is always stronger when it speaks with one voice. We seek unity not for the sake of unity but because our decisions will resonate more strongly. If the concerns of some delegations, which were of a relatively minor character, had been considered, we may well have reached consensus on the resolution.

Over the past couple of weeks, we have witnessed an escalation of rhetoric and tensions on the ground. It is crucial that the parties show restraint and avoid taking provocative actions. We urge them to de-escalate and to redirect their attention towards advancing the political process.

We need to resolve one of the most long-standing disputes on the agenda of the United Nations and to address the plight of the people of Western Sahara

once and for all. The vision of reaching a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara, now seems a little more within reach.

Despite the shortcomings of the text, we believe that the resolution is a step in the right direction towards a resumed negotiation process. Without any doubt, much hard work remains, in particular for the parties, which will face tough choices ahead. In order to advance the political process, the parties need to renew their commitment in a spirit of realism and compromise. They now have a window of six months to resume negotiations without preconditions and in good faith. We hope that they will shoulder that important responsibility.

Today we have sent a clear signal that the Council's patience cannot last forever and that appropriate conclusions must be drawn in the case of an absence of progress. In that regard, we note that all possible solutions must be kept on the table, including the holding of a free and fair referendum.

Mr. Shen Bo (China) (*spoke in Chinese*): China expresses its appreciation to the United Nations Mission for the Referendum in Western Sahara, which is committed to implementing the Security Council's mandate in earnest and has made efforts to maintain regional stability. We support the extension of the Mission's mandate and support it in continuing to play a constructive role in searching for a solution to the question of Western Sahara.

The situation in Western Sahara is complex. The priority is to maintain regional stability and to create favourable conditions for the restart of the political process. Therefore, the Council should remain united and speak with one voice. During the negotiations, amendments were proposed. The Council should have been given more time to seek consensus. To take hasty action on a draft resolution when there are still differences affects the unity among Council members. China expresses regret over the fact that resolution 2414 (2018) failed to fully accommodate the concerns of the parties affected, and was compelled to abstain in the voting.

China's position on the question of Western Sahara is consistent and remains unchanged. We will continue to proceed from a just and objective standpoint, support the United Nations in promoting a political solution to the question and support the mediation efforts by Personal Envoy Köhler. We encourage both parties to base their efforts on the relevant Council resolutions and seek a fair, lasting and mutually acceptable solution through negotiations.

Mr. Hickey (United Kingdom): The United Kingdom was pleased to vote in favour of resolution 2414 (2018), which we believe sends a strong signal of the support from the Security Council in three key areas — first, support for de-escalation; secondly, support for the continuing work of the United Nations Mission for the Referendum in Western Sahara (MINURSO); and, finally, supporting the overall goal of progress towards a lasting and mutually acceptable solution that provides for the self-determination of the people of Western Sahara.

With that goal in mind, we encourage the parties to engage now with a political process in a spirit of realism and compromise. The six-month window provided by the resolution is an opportunity and an indication of the importance the international community attaches to achieving progress. Another indication is the appointment of the new Personal Envoy of the Secretary-General, as well as the commitment he has already shown, in his first months, to finding a solution. The United Kingdom strongly supports the efforts of Personal Envoy Köhler, as well as the work of MINURSO and its new Head, Mr. Colin Stewart. We call on all concerned to engage positively over the coming months, in line with both the spirit and the letter of resolution 2414 (2018).

Mr. Almunayekh (Kuwait) (*spoke in Arabic*): Kuwait voted in favour of resolution 2414 (2018), renewing the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), as we believe that the presence of the Mission in such circumstances is of the utmost importance, given that it contributes to enhancing and consolidating stability in the region.

Meanwhile, the resolution on which we have just voted is a reflection of the desire of the Secretary-General to relaunch the political negotiations between the parties. In that regard, we appreciate the efforts of the Head and members of MINURSO to carry out the mandate, as provided for in the relevant Council resolutions, including the one we have just adopted.

Kuwait reiterates its full support for the efforts of Mr. Köhler, Personal Envoy of the Secretary-General for Western Sahara, to relaunch the negotiations

under the auspices of the United Nations, without any preconditions and in good faith, so as to reach a just and mutually acceptable political solution that ensures that the people of Western Sahara can exercise their right of self-determination within arrangements that are in accordance with the purposes and principles of the Charter of the United Nations and the relevant Council resolutions.

Mrs. Mele Colifa (Equatorial Guinea) (*spoke in Spanish*): We thank and commend the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, for his efforts. We also thank the Special Representative of the Secretary-General for Western Sahara, Mr. Colin Stewart.

The Republic of Equatorial Guinea, which always advocates the peaceful resolution of conflicts, wholeheartedly welcomes the renewal of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). We voted in favour of resolution 2414 (2018) because we understand that the provisions of this new resolution commit all the parties to continue advancing towards a political process that has stagnated for quite some time without significant progress.

The text seeks the adoption of measures to guarantee peace and security in the region, while demanding total and unconditional respect for all agreements reached with MINURSO under the auspices of the Secretary-General, whose tireless efforts in the search for an acceptable and mutually beneficial solution we commend. We call on the international community to resolutely support those efforts.

We take this opportunity to acknowledge the efforts and sacrifices of the parties involved in the conflict, which has raged for decades on the African continent, with a view to reaching a definitive and mutually satisfactory solution as soon as possible in order to finally bring the Saharan people the peace they yearn for and stability to the subregion.

Equatorial Guinea also voted in favour because it is convinced that the initiatives under way can lead to the desired resolution of the conflict.

Mr. Tumysh (Kazakhstan): Kazakhstan recognizes that this conflict is one of the most long-standing ones in Africa and that the views of the parties do not converge. In that regard, we reiterate that there is no alternative to the process of reconciling interests, making compromises and seeking mutually acceptable solutions, without fuelling further confrontations.

Kazakhstan welcomes the active efforts of the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, in exploring the positions of the parties and seeking ways to find compromises through a number of high-level meetings in the region and beyond. We see that as a promising sign and encourage Mr. Köhler to continue his engagement through a wide range of actors in order to broaden their support and commitment to relaunching the political process in the spirit of a new dynamic.

Kazakhstan recognizes the important role played by the United Nations Mission for the Referendum in Western Sahara on the ground and voted in favour of renewing its mandate for the next term. We express hope that, during the new mandate, efforts towards rapprochement and negotiations will be redoubled.

At the same time, it is obvious that the adoption by consensus of resolutions on mandate renewals of United Nations peacekeeping operations would send a stronger message to all of the parties concerned. It is also our understanding that the international efforts to advance political reconciliation should be consolidated under the United Nations-led efforts. It is important for the Council to maintain unity, support the work of the Personal Envoy and send a clear signal to the parties.

Finally, a message was sent to the party to the effect that they should refrain from any escalation that could endanger the creation of conditions favourable to the political process or the finding of a mutually acceptable solution that is consistent with the purposes and principles of the United Nations Charter.

Mr. Inchauste Jordán (Plurinational State of Bolivia) (*spoke in Spanish*): The delegation of Bolivia voted in favour of resolution 2414 (2018) given the need to relaunch the political process and in order to express its full support to the Personal Envoy of the Secretary-General for Western Sahara, Mr. Horst Köhler, and to the United Nations Mission for the Referendum in Western Sahara in the discharge of their respective missions and mandates.

We wish also to reiterate our full support for the Secretary-General's proposal to revitalize the negotiation process by infusing it with a fresh dynamic and spirit, in order to achieve, through a negotiated process, a just, lasting and mutually acceptable political

solution leading to the self-determination of the people of Western Sahara, in keeping with the purposes and principles of the Charter of the United Nations and the relevant resolutions of the General Assembly and the Security Council.

Despite all of this, my delegation expresses its concern at the fact that none of the proposals made during the negotiations were taken into account. Those proposals were aimed at making the text more balanced, on the basis of the most recent report of the Secretary-General on the situation concerning Western Sahara (S/2018/277), with a view to crafting a resolution that everyone could fully support.

Likewise, we are concerned about the unexpected change made to the text with regard to the duration of the mandate. That change was not discussed at any time during the negotiation process, nor was the delegation of Bolivia consulted thereon.

On the basis of the principle of transparency, Bolivia expresses its concern at the arbitrary nature of the penholder's actions in this instance, as this sets a bad precedent in terms of the working practices of this body and could, in the long run, become a very negative custom.

Mr. Dah (Côte d'Ivoire) (*spoke in French*): Côte d'Ivoire welcomes the adoption of resolution 2414 (2018), on the extension of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2018.

My delegation voted in favour of the resolution, which clearly sets out the framework and the goals of the mandate handed down by the Security Council to the Secretary-General so as to enable him to take concrete action through negotiations, with a view to breaking the political impasse on the conflict, which has lasted for far too long. This will require a renewed and determined commitment on the part of the stakeholders to take ownership of the political process, with a view to holding a fifth round of negotiations under the auspices of the Secretary-General.

In that respect, we welcome the serious and credible efforts made by the Kingdom of Morocco to achieve a definitive resolution to the conflict through its autonomy proposal. My country welcomes the commitment of the Secretary-General and his Personal Envoy and strongly encourages them to continue working towards promoting a framework for dialogue that could lead to peace in Western Sahara.

We welcome also the invitation extended by Security Council to neighbouring States, which is aimed at securing their genuine involvement in making a fruitful contribution to the political process, so as to find a definitive solution to the crisis that would benefit all of the countries of the region.

We wish also to underscore the importance, in line with resolutions 1325 (2000) and 2250 (2015), of involving women and young people in the framework of negotiations, as called for by the Security Council.

MINURSO's key role was reaffirmed by the Council, specifically as concerns compliance with the ceasefire and existing agreements as well as the maintenance of security through the region as a whole. My country hopes that on the basis of the straightforward provisions of this new resolution, negotiations will begin, in a spirit of frankness, between the stakeholders in their quest for compromise, with a view to reaching a definitive resolution to the conflict.

Mr. Van Oosterom (Netherlands): We voted in favour of resolution 2414 (2018). The fact that it could not count on the unanimous support of the Council should not distract us from what is truly important, namely, the relaunching of the political process. This is something that I believe we all support, because it is in the interest of the people, the parties and the wider region that this conflict be resolved.

Our common ambition therefore must be to arrive at a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the purposes and principles of the Charter of the United Nations.

In this regard, we reiterate our full support for the efforts of the Personal Envoy, the former President of Germany, Horst Köhler. We call on the parties to continue to engage with the Personal Envoy in good faith, and we emphasize the need to resume negotiations without preconditions.

We recognize the importance of the work of the United Nations Mission for the Referendum in Western Sahara in maintaining stability on the ground and in creating the conditions necessary for political progress to take place, and we commend the work of Special Representative of the Secretary-General Colin Stewart.

We also express our full support for the Mission and for the women and men serving under very challenging conditions.

Mr. Lewicki (Poland): Poland welcomes the adoption of resolution 2414 (2018), which extends the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). We encourage both parties to cooperate closely both with the Personal Envoy of the Secretary-General and MINURSO to avert any possible flare-up of tensions.

In that regard, Poland reiterates its support for an inclusive, durable and acceptable solution to the conflict, developed in accordance with the purposes and principles of the Charter of the United Nations.

Let me also express our full support to the Secretary- General's Personal Envoy, Mr. Horst Köhler. We believe that with his dedicated efforts and through negotiations with all parties, neighbouring States and other stakeholders, there is a chance to achieve a lasting solution.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of Peru.

Peru deems it necessary to renew the mandate of the United Nations Mission for the Referendum in Western Sahara in order to support the political process, with a view to achieving a solution to the question of the status of Western Sahara and to meeting the humanitarian needs of the Sahrawi people.

We believe it urgent to relaunch the political process, under the auspices of the United Nations and the Personal Envoy of the Secretary-General, without preconditions and in good faith, with a view to facilitating agreement on a just, lasting and mutually acceptable political solution based on international law and the relevant resolutions of the Security Council and that would lead to the self-determination of the people of Western Sahara.

Finally, we would express our concern at the difficulties facing the Sahrawi refugees and their dependence on external humanitarian assistance, as well as our expectation that progress in the negotiations will improve the human rights situation and living conditions of the people of Western Sahara in all of its aspects.

I now resume my functions as President of the Council.

There are no more speakers inscribed on my list.

The meeting rose at 3.50 p.m.

United Nations S/PV.8247

Security Council

Seventy-third year

Provisional

8247th meeting
Tuesday, 8 May 2018, 10 a.m.
New York

President:	Ms. Wronecka	(Poland)
Members:	Bolivia (Plurinational State of)	Ms. Córdova Soria
	China	Mr. Zhang Dianbin
	Côte d'Ivoire	Mr. Djedjé
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Ms. Guadey
	France	Mr. Melki
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alfassam
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Russian Federation	Mr. Safronkov
	Sweden	Mr. Vaverka
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Ms. Tachco

Agenda

Threats to international peace and security

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-13829 (E)

Accessible document Please recycle

The meeting was called to order at 10.05 a.m.

Expression of thanks to the outgoing President

The President: I should like to take this opportunity, on behalf of the Security Council, to pay tribute to His Excellency Ambassador Gustavo Meza-Cuadra, Permanent Representative of Peru to the United Nations, for his service as President of the Council for the month of April. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Meza-Cuadra and his team for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

The President: The Security Council will now begin its consideration of the item on its agenda.

The Council has before it the text of a statement by the President on behalf of the Council on the subject of today's meeting. I thank the Council members for their valuable contributions to this statement.

In accordance with the understanding reached among the members of the Council, I shall take it that the members of the Security Council agree to the statement, which will be issued as a document of the Security Council under the symbol S/PRST/2018/9.

The meeting rose at 10.10 a.m.

United Nations S/PV.8248

Security Council

Seventy-third year

Provisional

8248th meeting

Tuesday, 8 May 2018, 10.10 a.m.

New York

President:	Ms. Wronecka	(Poland)
Members:	Bolivia (Plurinational State of)	Ms. Córdova Soria
	China	Mr. Wu Haitao
	Côte d'Ivoire	Mr. Djédjé
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Ms. Guadey
	France	Mr. Melki
	Kazakhstan	Mr. Tumysh
	Kuwait	Mr. Alfassam
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Russian Federation	Mr. Nebenzia
	Sweden	Mr. Vaverka
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Ms. Tachco

Agenda

The situation in Bosnia and Herzegovina

Letter dated 2 May 2018 from the Secretary-General addressed to the President of the Security Council (S/2018/416)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-13835 (E)

Accessible document Please recycle

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 2 May 2018 from the Secretary-General addressed to the President of the Security Council (S/2018/416)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Bosnia and Herzegovina, Croatia and Serbia to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Her Excellency Ms. Joanne Adamson, Deputy Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2018/416, which contains the text of a letter dated 2 May 2018 from the Secretary-General addressed to the President of the Security Council, transmitting the fifty-third report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina.

I now give the floor to Mr. Inzko.

Mr. Inzko: Let me begin by thanking the Council and its members for their continued attention to developments in Bosnia and Herzegovina.

As I outlined in my report to the Secretary General (S/2018/416, annex), despite some positive steps taken by the leadership of Bosnia and Herzegovina towards Euro-Atlantic integration, which I wholeheartedly welcome and support, the pace of real reform remains slow and our common goal of irreversible stability for the country has not yet been fully achieved.

During the reporting period, Bosnia and Herzegovina took an important step towards becoming a candidate country of the European Union when the authorities handed over 20,000 pages of responses to the European Commission's questionnaire in February during President Juncker and Commissioner Hahn's visit to Sarajevo. The country also managed to adopt several strategies and a package of excise tax changes, which unlocked funding from the International Monetary Fund, especially for road construction. Those important developments demonstrate that, when political leaders have a common goal, they make the necessary compromises and find a solution. Unfortunately, such achievements have been few, as many of the most prominent elected officials remain disproportionately focused on nationalistic and divisive issues. At the same time, the authorities and relevant entities at the State level are repeatedly challenged and undermined in a way that runs contrary to the logic of integration within European structures.

As I have reported in the past, irresponsible and inflammatory rhetoric challenging fundamental aspects of the Peace Agreement on Bosnia and Herzegovina is not new. We have witnessed the worrisome escalation of such statements in the past six months. As I made clear in my report to the Secretary-General, I am deeply concerned about the more recent readiness among some politicians to refer to the possibility of a renewed conflict, including controversial statements by senior Bosniak politicians suggesting that a rearming effort is under way to respond in preparation for a hypothetical war scenario. Those comments followed controversy earlier in the reporting period about the large-scale purchase of long-barrel, military type weapons by Republika Srpska police and media exposure of nationalist extremist groups. Accordingly, there is a general trend of armament under way, and that is a reason for deep concern. I will report on that issue in November.

Inflammatory rhetoric has also continued to be used by some senior officials from Republika Srpska denying the statehood of Bosnia and Herzegovina and advocating for eventual secession. Public comments were also made glorifying convicted war criminals and calling for the return of a Republika Srpska army. Certain Croat officials have mused over the territorial reorganization of the country and threatened the dissolution of the State if the current electoral issues are not resolved to their satisfaction. All public figures must choose their words carefully and responsibly. Bosnia and Herzegovina is a single and multi-ethnic sovereign State consisting of two entities, in which

all citizens — the three constituent peoples and others — live and work together, and, above all, elected officials have a responsibility to contribute to peace and reconciliation. It is within such a general political climate that Bosnia and Herzegovina is entering another election cycle, with the Central Electoral Commission expected today to announce the next poll for October 2018.

Six months ago, I briefed the Council (see S/PV.8089) on the risk of a deeper political crisis that could follow October 2018 elections should the parties fail to agree before then on the rules regulating the indirect election of delegates to one of the Houses of Parliament — the House of Peoples. Following a decision by the Constitutional Court in 2017 deleting provisions of the election law regarding that issue, the State-level Parliament needs to adopt amendments to the law. Otherwise, the process of forming authorities after elections could prove extremely difficult, or even impossible. The European Union and the United States are currently working to facilitate an agreement between the main political parties concerning that issue, and my Office supports them in that effort. But the ultimate responsibility lies with political leaders. A range of possible solutions exists, which could accommodate a compromise, if the main parties are willing to step back from maximalist demands and negotiate in good faith, but time is short. As I speak, the Central Election Commission has announced the holding of general elections on 7 October 2018, although there is no solution to the issue of the House of Peoples has been found in terms of the election law.

Another area of concern in Bosnia and Herzegovina is the deterioration in the rule of law. Prominent elected officials continue to ignore and reject the final and binding decisions of State-level courts, and corruption is prevalent in the political system. Those two elements converged in a recent case concerning the State-level judiciary. In July 2017, the Bosnia and Herzegovina Constitutional Court declared unconstitutional several provisions of the Bosnia and Herzegovina Criminal Procedure Code. As the deadline of six months has passed without the Bosnia and Herzegovina Parliament correcting the issue, the Court could soon rule on non-enforcement, thereby leaving the Bosnia and Herzegovina judiciary without the tools necessary to combat organized crime and corruption. It is unfortunate that some political parties object to the adoption of amendments in line with international standards. It is also very telling that the parties that oppose the latter are the same ones challenging the State-level institutions in the current arrangement of the Federation of Bosnia and Herzegovina.

I also need to highlight once again the fact that the citizens of Mostar continue to be deprived of the basic democratic right to elect their local representatives — which they have been unable to do for nearly a decade — owing to the failure of the parties in the Parliament to implement a decision of the Bosnia and Herzegovina Constitutional Court related to the Mostar electoral system. I am, however, encouraged by the fact that representatives of several political parties in Mostar have begun meetings at their own initiative in Mostar, in what appears to be a sincere attempt to finally resolve that issue after 10 years. I urge the parties to reach a compromise that would enable the citizens of Mostar to enjoy the same democratic right to elect their local leaders, which the citizens in the rest of the country enjoy.

Additionally, I recall another long-standing pending Constitutional Court decision and a related decision of the High Representative, which concern the constitutional equality of Serbs within the Federation and which still need to be reflected in three of the cantonal Constitutions after more than 15 years. That means that Serbs are not equal and do not enjoy the same rights in those three cantons. They are not even mentioned in the three cantons' Constitutions, which is really outrageous after 15 years. In that regard, there is also a Constitutional Court decision that has not been respected.

In conclusion, the situation in Bosnia and Herzegovina requires the continued attention and unified effort of the international community. Bosnia and Herzegovina has made enormous strides since the end of hostilities in 1995 in building its institutions and the establishment of security and normalcy. But we must not take that progress for granted. Although the leaders in Bosnia and Herzegovina remain committed to integration with the European Union, that has not yet had an effect on the day-to-day political climate, in which some political figures are all too ready to use irresponsible rhetoric and seem predominantly concerned with maintaining their positions. The risk is that that divisiveness and a sense of unease about the future of the country will slowly seep into the fabric of society. As we all know, many people have left over the past five years, including more than 100,000 young

people, because of that insecurity. We should not forget the risks of nationalism and extremism on all sides, combined with a growing sense of socioeconomic stagnation in the country. It is for that reason that I believe that the international community needs to urgently increase its efforts aimed at promoting reconciliation in Bosnia and Herzegovina and in the region. The United Nations, along with others, is well placed to play a prominent role in such efforts.

Beyond that, there needs to be a change in the way in which politics are conducted within the country. That change needs to come from the politicians themselves, but, as an international community — individually and collectively — we have an interest in encouraging that change. To begin with, in the current environment, we need to maintain all of the tools at our disposal to prevent any further deterioration of the situation. I am thinking here about the civilian and military executive mandates. I also believe that we should be ready to be more prescriptive about the reforms that are needed to take the country forward, and more ready to respond against words and actions by leading political figures when they risk further destabilizing the political and security environment. Lastly, I appeal to everyone as part of the international community to be united in our approach and coordinated in our efforts. After all, we share the same goal: a sovereign, united and decentralized — but also stable and functional — Bosnia and Herzegovina. I believe that we all want to see Bosnia and Herzegovina as a shining example of tolerance and trust where the traditional common life of all cultures, nations and citizens is possible.

The President: I thank Mr. Inzko for his briefing.

I shall now give the floor to those Council members who wish to make statements.

Mr. Melki (France) (*spoke in French*): At the outset, I would like to thank the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, Mr. Valentin Inzko, for his enlightening briefing and precise commentary on the latest developments.

More than 20 years after a murderous conflict and the Dayton Peace Agreement, signed in Paris, Bosnia and Herzegovina is at a turning point in its history. Indeed, we are awaiting the announcement of parliamentary elections for October. The elected authorities will have the task of paving the way towards European integration in the years to come. I would like to underscore three points that merit our special attention before that crucial election deadline.

First, unity in the country is most essential. The comments by political leaders on the division of Bosnia and Herzegovina, the glorification of war criminals and anything that contributes to a resurgence of violence are irresponsible behaviours. We urge all political actors to refrain from stoking hatred and stirring up the ghosts of the past. Priority must be given to strengthening the country's central institutions as a prerequisite for building up the rule of law. We therefore call for respect for the decisions of the institutions mentioned in the General Framework Agreement for Peace, in particular the Constitutional Court. Res judicata decisions must be implemented as soon as possible in a spirit of compromise, including on electoral matters.

Secondly, I would like to address reforms. Given that resolution 2384 (2017) was adopted in November 2017, France calls on the political parties to agree on a reform of the electoral law, which is a necessary precursor to the implementation of the election results. Bosnia and Herzegovina's political stability is at stake. In addition to electoral reform, we regret the slowdown of reforms during 2017. The citizens of Bosnia and Herzegovina are calling more than ever for the implementation of social and economic reforms that will contribute to the country's development and regional integration. Judicial reforms are also expected, at a time when Europe is attaching the utmost importance to fighting corruption and organized crime. The enlargement package published by the European Commission on 17 April focuses precisely on the reforms that are needed in the socioeconomic and rule-of-law areas.

Thirdly, despite a fragile situation and the numerous challenges, Bosnia and Herzegovina has a horizon towards which to move: European integration. France associates itself with the statement to be delivered on behalf of the European Union. We are pleased to see that Bosnia and Herzegovina is unanimous on European integration. It is not only the institutions — from the Presidency to the cantons and entities — that are calling for an integration process into the European Union, but, above all, the women and men of Bosnia and Herzegovina. They are the ones who want to join the Europe of the peoples that we are building, day after day. The European Union will continue to support the authorities of Bosnia and Herzegovina. In that respect, the European Union military Operation Althea will continue its work by adapting, as closely as possible,

to the developments in the security situation on the ground in order to enable the Bosnian security forces to act autonomously.

I mentioned at the outset that we are at a turning point in the history of Bosnia and Herzegovina. Such a moment requires political courage — the courage to face situations that some say are unsolvable and challenges that are perceived as insurmountable. As at every turning point in its history, Bosnia and Herzegovina can count on the support of France.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): As this is the first open meeting of the Security Council under the presidency of Poland, I am pleased to reaffirm the full support of my delegation and wish you, Madam President, every success in your endeavours. We would also like to thank you, Madam, for your kind words on the Peruvian presidency. We appreciate the convening of this debate, as well as the important briefing delivered by High Representative Valentin Inzko.

Peru recognizes the unity, territorial integrity and sovereignty of Bosnia and Herzegovina, as well as the validity of the 1995 General Framework Agreement for Peace. It is an agreement that, with the support of the international community, lays the foundation for stability and the maintenance of peace in the country, and has important implications for the region. We note with concern the limited progress on the implementation of the 5+2 agenda required to close the Office of the High Representative and consolidate the State in Bosnia and Herzegovina. In view of that, and given the forthcoming general elections scheduled for October, we would like to highlight the need to make progress on two lines of action that we believe are essential to build sustainable peace.

First, I will speak on the rule of law and institution-building. We appreciate the efforts to comply with the decisions of the Constitutional Court to amend the regulatory framework of the various levels of Government. However, we are concerned about the lack of action on the legislative developments required to reform the electoral law and the Code of Criminal Procedure. We believe that those are necessary to ensure inclusive elections and effectively fight corruption and organized crime. There are also concerns about violations of the law on the temporary prohibition of the disposal of State property and the continued existence of provisions on the celebration of the Day of the Republic of Serbia. We believe that the decisions of the Constitutional Court must be fully implemented.

Secondly, I will address political dialogue, moderation and agreement. We believe that sustaining peace requires building a common vision of the future by and for the citizens of Bosnia and Herzegovina. Ethnic, cultural and religious diversity must be understood as values of their society. Peru encourages greater engagement of women and youth in the national political process, including in the upcoming general elections. We consider it urgent to overcome the paralysis of the Parliamentary Assembly, which has been impeding the necessary reforms to guarantee the smooth running of the State.

We are particularly concerned about belligerent rhetoric, which is exacerbated by the election campaign, questioning of the State authority, secessionist threats and increased arms purchases by law enforcement. Such actions increase the feeling of instability. Political leaders have the primary responsibility of building sustainable peace. That involves rejecting hate speech and the glorification of war criminals and, to the contrary, setting an example of moderation and commitment to the complex and delicate process of reconciliation.

In conclusion, we would like to underline the importance of full cooperation between the parties and the High Representative and the European Union Operation Althea, to whom we would like to reiterate Peru's full support in the implementation of their respective mandates.

Mr. Tumysh (Kazakhstan): We congratulate the Republic of Poland most warmly for assuming the presidency of the Security Council and cordially wish you, Madam President, great success in all your endeavours, especially during your stewardship of this main organ dedicated to ensuring global peace and security. We also commend you, Ambassador Joanna Wronecka and your team for choosing very timely and critical issues for consideration on this month's agenda. We look forward to the deliberations resulting in greater awareness and action.

We thank High Representative Valentin Inzko for his briefing and update on the recent developments in Bosnia and Herzegovina. We also welcome the Permanent Representative of Bosnia and Herzegovina, Ambassador Miloš Vukašinović, to the Chamber. Kazakhstan reiterates its commitment to the territorial

integrity of Bosnia and Herzegovina as a sovereign and united country. We have witnessed substantial progress in the country in different fields; however, there are a number of issues that remain unresolved.

The country is preparing for it general elections in October. As such, the efforts of all parties must be focused on the earliest possible adoption of the election law. We call on the leaders of the two entities to implement the Peace Agreement and observe all provisions and procedures that are integral components of that settlement, including the rulings of the Constitutional Court.

We very much welcome the meeting held in March between the Presidency of Bosnia and Herzegovina and the Presidents of Serbia and Croatia. The political will of the leaders of neighbouring countries is the most effective instrument available to promote dialogue and trust among the parties. My delegation welcomes the positive ongoing dialogue among the Governments, including regular high-level contacts, and we sincerely encourage the parties to carry them forward.

Unfortunately, there has been in an increase in political tensions inside the country, accompanied by provocative and aggressive rhetoric by certain representatives of the parties. That type of communication obviously affects negatively the political climate before the elections, overall stability and security, as well as the social and economic dimensions that impact the quality of life of the local population. In that regard, we encourage all political actors, as well as the institutions of Bosnia and Herzegovina, to resolve all disputes. We believe that should be done through the established legal processes, constructive dialogue and within the existing constitutional framework. We urge all the parties to act in accordance with the Peace Agreement, and also to abide by their commitment to cooperate fully with all the institutions involved in the implementation of this peace settlement.

My delegation would also like to take this opportunity to call on all parties to resolve pending issues, which present a challenge to respect for human rights and for democratic institutions, inter alia by ensuring further implementation of the adopted reforms with a sharp focus on good governance and the rule of law. That must also include combating corruption and organized crime and preventing terrorism and violent extremism. At the same time, we need to address any outstanding shortcomings of the judiciary required for its de-politicization, impartiality and independence, including the prosecution of war crimes.

On other tracks, efforts must also be focused on greater fiscal responsibility and sustainability, strengthening the Parliamentary Assembly and developing media and broadcasting communication. The question of returning refugees and displaced persons, together with the issues related to their resettlement, should be addressed as well. We also would like to underline that the engagement of civil society organizations and the participation of women and youth are critical for building intercommunal trust and confidence.

Finally, we encourage the leaders of Bosnia and Herzegovina to overcome narrow political interests and to make meaningful progress towards implementing commitments on economic and governance reforms.

Ms. Tachco (United States of America): I congratulate you, Madam President, on your assumption of the presidency for this month.

I would like to thank the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, Mr. Inzko, for his very frank update on the developments in Bosnia and Herzegovina. We greatly appreciate the work of the Office of the High Representative to help the country to achieve greater peace and prosperity and to strengthen security and stability in the region.

The United States affirms its strong support for the mandate of the High Representative as the final authority under the Dayton Peace Accords on the civilian implementation of the agreement. We thank him for his dedicated service and express our firm commitment to uphold the Dayton Accords, maintaining the sovereignty and territorial integrity of Bosnia and Herzegovina and promoting continued Euro-Atlantic integration.

Bosnia and Herzegovina's commitment to Euro-Atlantic values remains critical. Both NATO and the European Union (EU) have indicated that their doors remain open if Bosnia and Herzegovina fulfils its responsibilities under the Dayton Peace Accords, and if the country is willing to do the hard work to meet its standards for membership. The United States urges further progress towards integration with both NATO and the EU, which will require stronger political resolve and dedication.

We commend the continued work of the EU-led Operation Althea and of NATO to promote security and capacity-building in Bosnia and Herzegovina. We recognize the authorities' handover of answers to the European Commission questionnaire in February and view it as an important step towards the country's integration with Europe. Nonetheless, the United States is concerned about the recent uptick in divisive, nationalist rhetoric in Bosnia and Herzegovina. That threatens to exacerbate divisions and conflict, the exact opposite of what the Dayton Peace Accords and subsequent reform efforts set out to achieve. We urge all parties in Bosnia and Herzegovina to embrace key political, socioeconomic and electoral reforms and work to enhance the rule of law, tackle corruption and improve the overall political climate in the country for the benefit of all its citizens.

Looking ahead to the general elections in October, we urge Bosnia and Herzegovina to adopt and implement electoral reforms, especially those addressing the so-called Ljubić ruling. Those reforms are vital to the holding of free, fair and transparent elections, and to maintaining the stability that the country has worked so hard to achieve. Without those reforms it may be much more difficult to form a Government after the elections, which will complicate efforts to build a secure stable and prosperous future for the country. We share many of the concerns voiced by the High Representative in his report on Bosnia and Herzegovina (S/2017/922, annex), including those actions that could weaken the rule of law, such as destabilizing rhetoric from political leaders that allude to a break-up of the State and hypothetical comments about future war. The Council must remain alert to actions and rhetoric that seek to undermine and threaten the territorial integrity and sovereignty of Bosnia and Herzegovina, its two entities and three constituent peoples.

The United States looks forward to a time when Bosnia and Herzegovina's status satisfies the objectives and conditions for the closure of the Office of the High Representative, as established by the Peace Implementation Council. When that day comes, we will be able to say with confidence that Bosnia and Herzegovina has fully implemented its responsibilities under the Dayton Peace Accords and is irreversibly on course for European integration. Until then, we encourage the leaders of Bosnia and Herzegovina, as well as the international community, to support the reforms needed to reach that milestone and to maintain their commitment to the Office of the High Representative as it works to ensure the success of Bosnia and Herzegovina.

Ms. Gwadey (Ethiopia): I would like to begin by thanking the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, Mr. Valentin Inzko, for his comprehensive briefing on the latest report concerning the implementation of the Peace Agreement on Bosnia and Herzegovina (S/2018/416, annex). We would like to affirm our support for the sovereignty, territorial integrity and unity of Bosnia and Herzegovina.

We would like to welcome the positive developments demonstrated by Bosnia and Herzegovina in the reporting period, including the progress on the country's European Union (EU) accession process. We believe that progress is testament to the country's commitment to the EU integration process, with a far-reaching, long-term and positive contribution to the stability and prosperity of the country and the region at large. We are also encouraged by the continued exchange of visits by high-level officials and political leaders of the countries in the region, which, in our view, would strengthen good neighbourly relations and enhance cooperation in the Western Balkans. In that regard, the trilateral meeting undertaken by the Presidency of Bosnia and Herzegovina with the Presidents of Serbia and Croatia is commendable. We encourage the continuation of such high-level engagement in future.

We are nevertheless concerned about some of the reported developments that undermine the political stability of Bosnia and Herzegovina. In particular, we take note of the divisive rhetoric and actions that continue to challenge the constitutional order and integrity of the State-level judiciary system in the country. In that regard, we call upon all authorities and political leaders to fully respect the decision of the Constitutional Court of Bosnia and Herzegovina. Respecting the rule of law and the authority of State institutions, which are established under the Dayton Peace Accords, is fundamental for the State-building process in Bosnia and Herzegovina. It is therefore important that all parties refrain from any provocative statements or actions that could undermine the sovereignty, territorial integrity, cohesion and constitutional order of Bosnia and Herzegovina.

We also take note of the continued disagreement concerning changes to the electoral law in Bosnia and

Herzegovina. We believe that this issue must be handled very wisely, as it has the potential to affect not only the formation of Government after the next election cycle but also the continuity and stability of the country. It is our hope that the ruling of the Constitutional Court on reviewing the country's election law will be implemented in a manner consistent with the provisions of the Dayton Peace Agreement. We also encourage parties to undertake serious political dialogue to address the differences surrounding the issue of electoral reform, which would be particularly relevant considering that a general election will be held this year.

In conclusion, we would like to express our support to the High Representative and his Office in discharging their mandate to monitor the implementation of the civilian aspects of the Dayton Agreement. We call on the parties to extend the cooperation that is vital to the work of the High Representative. We also recognize the essential role played by the European Union military mission in Bosnia and Herzegovina, EUFOR Althea, in maintaining safety and stability in the country.

Mr. Van Oosterom (Netherlands): Madam, we wish you the best of luck during your presidency, and you can count on our full support in your work this month. I would also like to take this opportunity to thank Peru for its excellent stewardship of the Council in April, both here in New York and during the Council's visits abroad in April.

The Kingdom of the Netherlands aligns itself with the statement to be delivered by the observer of the European Union later today.

Like others before me, I thank High Representative Valentin Inzko for his briefing and his work.

Today I will focus on three issues: first, the political situation in Bosnia and Herzegovina, secondly, the rule of law and thirdly, the country's future prospects.

With regard to my first point, about the political situation in Bosnia and Herzegovina, since the Dayton Peace Agreement was signed, the people of Bosnia and Herzegovina have worked hard to create a peaceful and prosperous country and have done so with the strong support of the international community. While progress has been made, we share the High Representative's concerns about the current political situation in Bosnia and Herzegovina. The divisive speech and actions of political leaders are negatively affecting the country's governance, cohesiveness and reforms. In the present circumstances, we believe that the High Representative and his Office remain essential.

That brings me to my second point, one that our Peruvian colleague also highlighted just now, which is that we are concerned about attempts to undermine the rule of law in Bosnia and Herzegovina. Attempts to delay necessary amendments to the criminal procedure code and the law establishing the Intelligence and Security Agency are hindering the fight against corruption and the sharing of intelligence, including with international partners. We call on the Council of Ministers and Parliament to pass the required amendments without delay.

My third and final point relates to the future of Bosnia and Herzegovina. We support its Euro-Atlantic integration as a means to ensure the future prosperity and security of its people and the region. It is crucial that Bosnia and Herzegovina's political leaders step up their implementation of the reforms needed to make progress towards that integration. Ensuring that electoral reforms are in place should be the first step. A constitutional crisis in October must be avoided.

In conclusion, in January the Secretary-General urged European leaders to show that the continent can live up to its ideals of shared prosperity and peaceful coexistence. The general elections in October in Bosnia and Herzegovina create an opportunity for its political leaders to show their commitment to those ideals. We strongly encourage them to grasp that opportunity and put future before past, reform before stagnation and unity before divisiveness.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): I would like to congratulate you, Madam, on your assumption of the presidency of the Security Council, and to wish you success in your duties.

We have carefully studied the report of the High Representative for Bosnia and Herzegovina (S/2018/416), which was once again issued belatedly and just before the start of today's meeting. We would once again like to point out the importance of complying with the time frame for submitting it to the Council. We are compelled to note that like its predecessors, the text has a certain anti-Serbian tone, suffers from biased and politicized conclusions and does not provide an objective picture of the situation in the country.

Republika Srpska is once again being blamed for literally all of the current difficulties afflicting the

process of achieving the General Framework Agreement for Peace in Bosnia and Herzegovina and, which is particularly surprising, for the major political crisis that has overtaken the Bosniak-Croat Federation of Bosnia and Herzegovina. As before, the selection of evidence in support of the report's assertions is unbalanced and frequently based on unverified information. As a result, the real situation in the country is distorted and false impressions are created. That applies particularly to the celebration on 9 January of Republika Srpska Day, which took place in accordance with a law enacted in October 2016 that the Constitutional Court of Bosnia and Herzegovina did not object to at the time. The report's concerns about the modernization of automatic weapons that the Republika Srpska police are equipped with are also difficult to understand. The process is being conducted in full compliance with the laws of Bosnia and Herzegovina, which has been acknowledged, incidentally, by the European-led force responsible for security in the country. For some reason, the report does not mention the fact that similar replacement programmes for outdated police weapons are also being carried out in the Bosnia and Herzegovina Federation.

We were baffled by the so-called concern expressed in the new report about the March pilgrimage tour to Orthodox and historic sites in Serbia and Bosnia and Herzegovina by the Night Wolves multinational motorcycle club, which is dragged in inappropriate references to unilateral United States sanctions and Ukrainian issues. The Night Wolves always coordinate their events with law-enforcement bodies and have been conducting regular tours of European countries, with purely humanitarian intentions, for several years now. The primary aim is to pay tribute to the memory of our great forebears who defeated fascism during the Second World War. By the way, Victory Day is celebrated in Europe today and tomorrow in Russia and the countries of the former Soviet Union.

We call on the High Representative to focus his efforts on implementing the 5+2 plan, which should have remained his top priority. Regrettably, in practice he has focused on other issues that have nothing to do with his mandate. It is strange to hear his say publicly that there should be less Dayton and more Brussels in Bosnia and Herzegovina, which is an overly free interpretation of his mandate, to put it mildly. The result is that we have an obvious impasse in implementing the 5+2 plan.

In that regard, we support the principle of transferring all responsibility for the current processes in Bosnia and Herzegovina to the local authorities and further reducing the budget and personnel of the Office of the High Representative with the aim of closing it in accordance with the existing conditions and criteria. We see no reason for any executive role for the Office. The time for this special instrument is over.

In the Bosnian leadership's view, the current internal situation in Bosnia and Herzegovina is experiencing the worst systemic political crisis of the post-Dayton period both at the State level and in the Federation of Bosnia and Herzegovina, reaching a point of paralysis in the normal functioning of Government bodies. At its heart is a rupture in relations of trust and cooperation among the three constituent peoples of the Federation whose depth is worse than at any time since the end of the period of armed conflict. There are serious fears for the inviolability of one of the key, foundational premises of the Dayton Agreement — equality. That is a major concern, since we believe that Bosnia and Herzegovina has no viable alternative to the Dayton framework.

The Dayton algorithm is also fully applicable to the most serious practical problem, which is reform of the Federation's election laws. The key event in Bosnia and Herzegovina this year is the upcoming general elections in October. That expression of the people's will should be fair, free and independent, including free from foreign interference, and should reflect the interests of all the country's peoples.

The role of the international community in internal Bosnian affairs needs particular attention. The main function of foreign participation should be to encourage the processes of genuine national reconciliation and the strengthening of mutual understanding and cooperation among all the peoples living in Bosnia and Herzegovina. In the past few months, unfortunately, we have seen our partners take a number of steps aimed at interfering directly in the work of the Bosnian authorities, of which the most revealing is the pressure that has been put on the Bosnia and Herzegovina High Judicial and Prosecutorial Council to change decisions that do not meet certain external expectations. Regrettably, with regard to reform of the election laws, the international mediators also deliberately favour one side, which cannot contribute to establishing the necessary climate of trust.

The activity of the semi-clandestine so-called Bern process in Sarajevo initiated by a group of States last year is not part of any coordinated efforts. As far as we know, the agenda of that closed diplomatic club includes issues related to broad constitutional reform of Bosnia and Herzegovina, which come under the Dayton Agreement. By the way, representatives from the Office of the High Representative took part in the work on that so-called process, but we were not officially informed. There is no information about it in the report. It is hardly likely that this kind of factionalism in the international community can benefit the common goals of strengthening peace, stability and security in the country and the region. We must be united if we truly want that for Bosnia and Herzegovina.

In the context of procedural issues, apart from the importance of submitting the report on time, we would also like to draw attention to the extract it contains from the final communiqué of the December meeting of the Peace Implementation Council Steering Board in Sarajevo, which was not adopted by consensus. In future, we would request that in such cases it be compulsory for the reports to include the relevant references to the particular positions of the States members of the Steering Board. We would also like to propose to Council members and anyone else who wants to that they study the alternative report on the situation in Bosnia and Herzegovina prepared by Republika Srpska. It contains useful information on a number of issues, including the outside funding for a number of media outlets in Bosnia and Herzegovina that position themselves as so-called independent sources.

Russia intends to continue to consistently contribute to the implementation of the Peace Agreement on Bosnia and Herzegovina, which still has significant positive potential, and to strengthen its constructive bilateral cooperation with the country. Bosnia and Herzegovina has every chance of becoming a place for successful political, economic and cultural cooperation for the broadest possible range of participants. We hope that those chances can become a reality through our joint efforts.

Mr. Djedje (Côte d'Ivoire) (*spoke in French*): I would like to congratulate you, Madam President, on Poland's assumption of the presidency of the Security Council for the month of May, and to assure you of Côte d'Ivoire's support, as we had already begun to do yesterday during our important discussion on children and armed conflict. In any case, we wish you every success for the month of May. On behalf of my delegation, I would like to thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for the quality of his briefing on the situation in that country.

In speaking for the first time on the situation in Bosnia and Herzegovina, I would like to inform the High Representative that he has the full support of Côte d'Ivoire for his mandate in implementing the Dayton Peace Agreement of 14 December 1995. That Agreement has been the cornerstone of the work of the international community in providing the country with a multiethnic, multi-faith and multicultural framework.

Like the High Representative, my country is pleased to note that Bosnia and Herzegovina has submitted to the European Commission the answers to the questionnaire necessary for the review of its candidacy for membership in the European Union. That act demonstrates, if it were needed, the Bosnian authorities' ability to make the necessary efforts and essential reforms, particularly in the areas of the rule of law, fundamental rights and judicial independence, in order to complete the cycle of political and socioeconomic change in their country. In that regard, my delegation welcomes the fact that the Bosnian authorities have adopted the necessary legislative measures to resume cooperation with the International Monetary Fund.

Despite the hopes raised by the points that I have just highlighted, Côte d'Ivoire remains concerned about the ongoing political tensions in the country, which, if we are not careful, could undermine the gains of the Dayton Agreement. My delegation is particularly concerned about the statements of the leaders of Republika Srpska calling for secession from Bosnia and Herzegovina. In that regard, Côte d'Ivoire calls on all political actors in the country to focus on development priorities, particularly economic and social, and to refrain from being drawn into the rhetoric of division, which could threaten the territorial integrity of Bosnia and Herzegovina. We also urge all stakeholders to redouble their efforts and to undertake the fundamental reforms to ensure that the elections to be held in October are fully democratic.

My delegation remains deeply concerned that the Parliament of Bosnia and Herzegovina has not dealt with the shortcomings of several provisions of the criminal procedure code to combat organized crime and corruption. In that regard, we encourage the Parliament of Bosnia and Herzegovina to undertake the appropriate

reforms with a view to tackling the economic, social and security challenges facing the country today. My country also urges the political authorities of Bosnia and Herzegovina to guarantee for their citizens the establishment of the rule of law in order to prevent situations of impunity in a country in search of national reconciliation and in which all communities are called on to live together in peace and harmony.

We encourage the international community to remain alert with respect to the situation in Bosnia and Herzegovina, which remains fragile. The Security Council must be aware at all times of any difficulties that the High Representative may face in the full implementation of the Dayton Peace Accord, which is key not just to Bosnia and Herzegovina's stability but to that of the Balkan region as a whole. We call on all Bosnian political groups to reject dangerous rhetoric and to use dialogue in order to find peaceful solutions to the differences between the country's different communities. We also encourage Bosnia and Herzegovina's neighbours to combine their efforts to promote lasting peace there.

Finally, like other countries, Côte d'Ivoire would like to express its commitment to the unity, territorial integrity and sovereignty of Bosnia and Herzegovina as a fully functional and independent State.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): As active members of the Group of Friends for Women's Empowerment and Gender Equality, we are very pleased to see you presiding over the Security Council for the month of May, Madam President, and to congratulate you on convening this important meeting. I would also like to salute Ambassador Meza-Cuadra for a very active and successful presidency during the month of April. We thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for his report on the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina (S/2018/416, annex).

Since the signing of the Dayton Peace Agreement in 1995, Bosnia and Herzegovina has made significant progress towards peacebuilding and achieving an equitable economy and sustainable development for all its citizens. Indeed, according to Mr. Inzko's report, significant progress has been made over the past six months with respect to the country's plans to join the European Union and NATO. A foreign policy strategy has also been agreed for the next five years, as has a strategy for developing and implementating plans to strengthen the country's economy, reform its institutions and reduce unemployment. In particular, we would like to highlight the trilateral meeting in March between the Bosnia and Herzegovina Presidency and its counterparts from its neighbours Croatia and Serbia, which we understand will be repeated in the near future. All these developments are signs that there is a common vision for Bosnia and Herzegovina.

Equatorial Guinea hopes that this important vision and progress can be maintained and strengthened so that it can help to foster lasting national unity, which will cement Bosnia and Herzegovina's role in the Balkans, Europe and the world. That is why we would like to express our deep concern about the continuing divisive and inflammatory rhetoric of political leaders from all political groups, and on many occasions for ethnic reasons. Such behaviour puts all the aforementioned achievements in jeopardy and hinders the implementation of the Peace Agreement, the preparations for the elections scheduled for October and the process of institutional reforms needed to facilitate peaceful elections, ensure that the results of the elections are implemented, support decision-making in State institutions to protect and strengthen the rule of law, secure lasting peace and development and continue efforts to contain and eliminate crime, corruption, violent extremism and terrorism.

I would like to express our appreciation for the commitment of the High Representative for Bosnia and Herzegovina and emphasize our support for his mandate and efforts to assist in the implementation of the Peace Agreement. We also appreciate the work of the European Union-led peacekeeping force in supporting and facilitating all of these processes in Bosnia and Herzegovina, as well as the work of the High Representative and the United Nations country team.

We share the High Representative's view that elected officials have a responsibility to contribute to peace and reconciliation. October's elections will be a turning point in the history of Bosnia and Herzegovina. I would like to see the political and ethnic divisions between Serbs, Bosnians and Croats set aside before the election season and national interests taking precedence over any other self-interest, for the benefit of the country and the people, including refugees and displaced persons. Equatorial Guinea stands ready to work with the international community to achieve

lasting peace and security and sustainable development in Bosnia and Herzegovina.

Mr. Hickey (United Kingdom): The United Kingdom would like to congratulate you, Madam President, on taking up the presidency of the Security Council, and we wish you every success. I also wish to thank High Representative Inzko and his team for their objective and detailed reports and their continued efforts to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina. They have the United Kingdom's full and constant support.

I would agree with my French colleague that Bosnia and Herzegovina remains at a crossroads today. In the six months since we last met (see S/PV.8089), there has been some small, incremental progress in terms of reform and in reaching at least two significant milestones. And yet the vestiges of division continue to mar that progress and to prevent Bosnia and Herzegovina from reaching the potential its citizens deserve. I will briefly touch on those two milestones.

First, the International Tribunal for the Former Yugoslavia (ICTY) issued its final judgments in November and transferred responsibility to the Mechanism for International Criminal Tribunals at the end of the year. We recognize the Tribunal's achievements, including the first instance conviction of former wartime commander Ratko Mladić of genocide and crimes against humanity. Although Mladić's conviction will not bring back the thousands who lost their lives, it demonstrates that the architects of suffering will be held to account, giving others around the world hope that there can be justice for appalling human rights abuses.

The Tribunal has accumulated a wealth of practical knowledge and experience over the 24 years it has been operating, and it is important that the lessons learned are shared with other international criminal courts and tribunals. It has done ground-breaking work to investigate, prosecute and convict perpetrators of wartime sexual violence. I would like to echo the report of the Counter-Terrorism Committee in welcoming Bosnia and Herzegovina's initiatives to integrate women and peace and security in counter-terrorism and countering violent-extremism issues through the development of national and local action plans. The United Kingdom encourages Bosnia and Herzegovina to continue and intensify its efforts on this positive trajectory. It is a matter for regret that some political leaders have disputed the rulings of the Tribunal and the decisions of domestic war crimes chambers in the region and have even made inflammatory remarks about a return to conflict. I agree with my American colleague that we should condemn such rhetoric, which privileges the pursuit of political advantage ahead of the pursuit of justice for victims and a peaceful future for all.

Secondly, Bosnia and Herzegovina submitted its European Union (EU) questionnaire earlier this year. We commend that achievement, which is not insignificant given the complexities of the system being assessed. But we have been disappointed to see only limited commitment to the difficult but essential reforms that underlie the political commitment to becoming an EU member State. Now that the questionnaire has been submitted, Bosnia and Herzegovina must demonstrate its commitment to upholding the rule of law and implementing agreed reforms. Among these, as my Dutch colleague has already highlighted today, there is an urgent need to amend the provisions of the criminal procedure code on special investigative measures in order to comply with the Constitutional Court decision of June 2017 and align with international standards. Failure to do so would seriously undermine the fight against corruption and organized crime and put international cooperation and the security of partner countries in jeopardy.

As the High Representative noted, 2018 will also be a significant year for Bosnia and Herzegovina, with elections expected in October. However, amendments to the electoral law are necessary so that the results of those elections can be implemented. If political leaders fail to agree to those amendments, the entire country will be exposed to an unnecessary and serious risk. Political leaders must demonstrate their ability to compromise on a solution without further delay and move towards European standards. As elections approach, we see an opportunity for Bosnia and Herzegovina to focus on the future, not the past. Divisive nationalist rhetoric demeans those who use it and does a disservice to the people and the country as a whole. The United Kingdom encourages the political leaders of Bosnia and Herzegovina to demonstrate to their people and the European Union that they are committed to building a better and more secure future for them and their children.

The consequences of Bosnia and Herzegovina's divisive politics are easy to see. Huge numbers of young people leave every year in search of the political stability and employment opportunities that they are denied at home. The people of Bosnia and Herzegovina deserve better. As a long-standing friend of Bosnia and Herzegovina, the United Kingdom will continue to stand in solidarity alongside those who want a better, more prosperous and stable future for the country even as it pursues Euro-Atlantic integration.

The United Kingdom's hosting of the Western Balkans Summit of the Berlin Process in London this summer is a signal of that solidarity and commitment. We also remain committed to Operation Althea and the High Representative, including the use of Bonn powers, if the situation requires, until stability and security are firmly entrenched.

Ms. Córdova Soria (Plurinational State of Bolivia) (*spoke in Spanish*): *We are grateful to Mr. Valentin Inzko, the High Representative for Bosnia and Herzegovina, for his report (S/2018/416, annex).*

We commend the positive political and economic developments in Bosnia and Herzegovina during the previous review period, in particular the adoption of special tax laws and the approval on 9 February of the second disbursement of funds under the Extended Fund Facility. We also welcome the trilateral meeting held in March between the Presidencies of Bosnia and Herzegovina, Croatia and Serbia. We highlight the approval of the State budget for 2018 and the foreign policy strategy for the next five years, as well as the progress made in the fight against money-laundering and the financing of terrorism. Those efforts demonstrate the commitment of the Government of Bosnia and Herzegovina to continuing to undertake the reforms needed to promote the country's stability and contribute to the initiatives aimed at achieving the development and stability they desire. We therefore encourage them to focus on those aspects and to intensify their efforts to implement the 5+2 agenda as a prerequisite for the closure of the Office of the High Representative.

Despite the progress that has been made, challenges remain in the political environment. The elections will take place in October and we believe it is important that political leaders take consensual action on electoral changes so that the elections can be properly conducted. In that connection, we call on Council members to work together in an inclusive environment, respecting the Dayton Agreement, which continues to be the legal basis and benchmark for stability and the peaceful settlement of differences between the parties. Those challenges could ultimately destabilize the country and threaten the territorial integrity and sovereignty of Bosnia and Herzegovina. We therefore urge all political leaders to put the interests of their people before their ethnic political interests.

Bolivia would like to reiterate its commitment to the full respect of the territorial integrity, sovereignty and independence of Bosnia and Herzegovina. In that regard, we stress that in order to preserve those elements, its Constitution and the decisions of the judiciary with regard to the rule of law must be respected. We also call on political leaders and all parties to refrain from using nationalist rhetoric that foments divisions in the country. We hope that Operation Althea and the Office of the High Representative will continue to cooperate closely and will play a constructive role in maintaining peace and stability in Bosnia and Herzegovina within the framework of their mandate.

Lastly, we stress that we encourage the entire population of Bosnia and Herzegovina to live together in harmony, overcoming the divisions of the past and putting shared development first. In that regard, we urge the international community to address the concerns of all stakeholders with an impartial and equitable approach, in the interests of lasting stability.

Mr. Alfassam (Kuwait) (*spoke in Arabic*): At the outset, the delegation of Kuwait would like to congratulate you, Madam President, on your assumption of the presidency of the Council. We wish you every success and would also like to take this opportunity to thank the delegation of Peru for its success during its presidency for the month of April.

I would like to thank Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, for his very useful briefing and his most recent report (S/2018/416, annex) on the implementation of the Bosnia and Herzegovina Peace Agreement. We would like to assure him of our full support for his work in implementing his mandate and his efforts to help the authorities of Bosnia and Herzegovina deal with their many challenges.

We welcome the positive developments that have occurred, including the implementation of various commitments such as Euro-Atlantic integration, the response to the European questionnaire and the

adoption of a fiscal law, which will be finalized as soon as the International Monetary Fund concludes its consideration of the law. All these efforts will help the country implement the necessary reforms that will enable it to join the European Union.

Two decades after its signing, the Framework Peace Agreement for Bosnia and Herzegovina remains the cornerstone of the country's institutional stability and a stable framework for ensuring lasting peace. We are concerned about the fact that the report cites a number of challenges related to the peace agreement during the period covered, particularly statements inciting hatred and divisive rhetoric. We urge all of the country's political leaders to prioritize the national interests of the Bosnian people and to reject narrow ethnic interests that undermine stability and unity. In that regard, we urge all political leaders to place national interests above any other consideration and to rise above narrow political and ethnic interests that would undermine the chances for progress and stability, and we call them to engage in serious political consultations to discuss reforms proposed to the electoral law and the Criminal Procedural Code in Bosnia and Herzegovina, in order to avoid a potential serious political crisis in the country.

These developments are taking place at the same time that we are seeing limited progress towards the implementation of the 5+2 plan, which has hindered the closure of the Office of the High Representative, in particular with regard to the registration of military assets, as mentioned in the report (S/2018/416, annex). Kuwait fully supports the Office of the High Representative, in accordance with the Dayton Peace Agreement and the relevant resolutions of the Security Council, and calls on the High Representative to step up his efforts to ensure the full implementation of the 5+2 plan.

Lastly, Kuwait would like to reaffirm the importance of respecting the unity, stability and territorial integrity of Bosnia and Herzegovina, its Constitution and all the decisions issued by the courts, which should be upheld by all the parties concerned in order to strengthen stability in the country. We call on all stakeholders to tackle the challenges they are facing and to pool their efforts to ensure the full implementation of the 5+2 plan.

Mr. Vaverka (Sweden): Let me begin by joining others in congratulating you, Madam President, on assuming the presidency of the Security Council for the month of May. We look forward to working closely with you, Madam, and your team in the coming weeks. Let me also express my appreciation for the clear and insightful briefing presented today by the High Representative, Mr. Valentin Inzko. He can rely on Sweden's full and continued support for his important efforts in support of Bosnia and Herzegovina going forward.

Sweden aligns itself with a statement to be delivered later on behalf of the European Union (EU).

In October of last year, the Council of the European Union reiterated, once again, its unequivocal commitment to Bosnia and Herzegovina's EU perspective. Central to that perspective is its commitment to the EU integration process and the reform agenda. Unfortunately, the pace of reform in Bosnia and Herzegovina has stalled since last year, yielding only very modest results. It is now crucial that adequate reform of the electoral law take place in order for elections to happen in October and for their results to be implemented. We regret that, so far, there seems to be no real desire to reach a compromise on that issue.

The implementation of the reform agenda must be stepped up urgently to put necessary reforms back on track, with an emphasis on the rule of law and socioeconomic development. That is essential for the future of Bosnia and Herzegovina, as high unemployment and widespread corruption are contributing to a worrying trend of young, educated people leaving the country.

The security situation on the ground remains relatively calm and stable; nonetheless, there are worrying developments. The recurring use of separatist, divisive and nationalistic rhetoric threatens the integrity and unity of the country. We call on all parties to refrain from engaging in ethnically motivated disputes and agendas. Political leaders in Bosnia and Herzegovina must live up to their responsibility in that regard.

Sweden believes that a credible EU perspective, based on conditionality and progress on own merits, is one of the most powerful drivers for peace, stability and prosperity in the Western Balkans. The future of the region is closely interconnected with the future of the rest of Europe. Joint challenges require joint solutions. Therefore, we must strengthen our cooperation to meet common challenges, such as organized crime, terrorism and migration.

To move forward, the focus of our efforts should be on the future and not on the past, both within Bosnia and Herzegovina and in its relations with its neighbours. Regional cooperation and reconciliation are crucial for stability and progress in the region and beyond. We support the Regional Cooperation Council in its important work to strengthen good neighbourly relations in the Western Balkans. To build peaceful mutual understanding between the countries of the region, cultural and social differences among communities must be bridged, not least among children and youth.

It is also essential to recognize and address the scars of war for survivors. In that regard, sexual and gender-based violence committed during the war must be addressed. We welcome Bosnia and Herzegovina's national action plan on women and peace and security, which should be implemented in an inclusive manner.

We acknowledge the need for discussions on the reconfiguration of the international presence in Bosnia and Herzegovina. We remain supportive of the idea of phasing out the international presence in due course, when the situation on the ground allows for it. However, we do not believe that the current situation is sufficiently stable for a drawing down at the present time.

Since the end of the war in 1995, Bosnia and Herzegovina, supported by the international community, not least the European Union, has been on a journey to build a better future for all its people. We will continue to support those efforts as Bosnia and Herzegovina works towards realizing its European perspective and building a country of prosperity, peace, stability and equality for all.

Mr. Wu Haitao (China) (*spoke in Chinese*): First of all, I wish to congratulate Poland on assuming the presidency of the Security Council for this month. China also wishes to thank High Representative Inzko for his briefing.

China respects the sovereignty, independence, national unity and territorial integrity of Bosnia and Herzegovina. We respect the choice made by the people of Bosnia and Herzegovina for the future of their country. We support the peaceful coexistence of different ethnicities in Bosnia and Herzegovina and their search for common development.

We welcome the efforts made by Bosnia and Herzegovina in promoting national reconciliation and economic and social development. We hope that the country's different ethnicities will be fully and actively engaged in consolidating the progress made in the political process and in society building, seek consensus through dialogue and consultation, resolve their differences by peaceful means and fully implement the Dayton Peace Accord, so as to promote greater development in all areas, which will enable the different peoples of the country to truly enjoy the peace dividend.

Bosnia and Herzegovina is an important country in the Balkans. Stable development and ethnic harmony are in the common interests of the international community and the countries of the region. The international community should take a balanced and prudent approach and pay special attention to and accommodate the views of all the parties concerned, so as to play a constructive role in helping the country achieve national reconciliation and long-term stability and development.

China welcomes the effort by High Representative Inzko to advance the country's political process. We hope that, within the purview of his mandate, he will play an active role in promoting the implementation of the Dayton Peace Agreement. We hope that the European Union-led peacekeeping force will continue to strengthen communication and cooperation with the parties concerned and help the country achieve lasting peace and stability.

China is ready to play its part, together with the rest of the international community, in helping the country truly achieve lasting peace, stability and development.

The President: I shall now make a statement in my capacity as representative of Poland.

At the outset, let me thank High Representative Inzko for his briefing and state Poland's strong support for his Office, which we see as the guarantor of stability of the post-Dayton achievements. We take note of his report (S/2018/416, annex), which was presented today before the Security Council, and share many concerns expressed therein.

Since the very beginning, Poland has been actively engaged in bringing about peace to Bosnia and Herzegovina. In 1991, Tadeusz Mazowiecki, the first non-communist Polish Prime Minister, was appointed Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia. His reports on human

rights violations in the former Yugoslavia, containing, inter alia, references to the Srebrenica massacre, played a key role in the decision-making process regarding the future of Bosnia and Herzegovina. Today we remain vitally interested in the integrity and prosperity of Bosnia and Herzegovina. In a volatile world, nothing can be taken for granted, and today's achievements can easily dissipate if insufficient attention is given to creating conditions for a sustainable future.

In that context, let me convey Poland's belief that staying on the path to European and Euro-Atlantic integration remains the best hope for the citizens of Bosnia and Herzegovina to enjoy quality of life in a stable framework of shared values. Those values, however, need to be put in practice in a consistent manner, which requires effort and commitment, as well as a sense of responsibility, on the part of governing elites. In that regard, we must note with concern worrisome trends that are undermining the achievements of the past 25 years. Divisive and destructive rhetoric is still being heard from leading political figures, and the authority of the legal framework and judicial institutions of Bosnia and Herzegovina continue to be openly flouted in one part of the country in stark contravention of international agreements.

Inclusivity, equality and participatory democracy are at the core of European values. The rule of law and its entrenchment are part of the conditions set out in the European Union Western Balkans strategy. Nevertheless, the decisions of both the European Court of Human Rights and the Constitutional Court of Bosnia and Herzegovina regarding the electoral law remain unenforced after many years, while recent developments regarding the Criminal Procedure Code threaten to cripple the State in combating organized crime and corruption. Inclusivity and equal opportunity for all take on particular importance with regard to young people and women. Their participation in public life and a sense of common destiny are essential for the integrity of the social fabric. Access to quality education and equal opportunities in the labour market and public life are the most reliable foundations for building future prosperity.

Let me conclude by stating once again Poland's interest in the European and Euro-Atlantic future for Bosnia and Herzegovina and our commitment to assist with our experience.

I now resume my functions as President of the Council.

I give the floor to the representative of Bosnia and Herzegovina.

Mr. Vukašinović (Bosnia and Herzegovina): At the outset, let me congratulate you, Madam, on assuming the presidency of the Security Council for the month of May and wish you and your delegation every success. We welcome Mr. Valentin Inzko, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and have taken note of his fifty-third report (S/2018/416, annex) on the situation in Bosnia and Herzegovina, covering the period from 22 October 2017 to 21 April 2018.

Bosnia and Herzegovina further intensified its efforts during the reporting period in the implementation of the reform agenda and continued dynamic work in implementing the socioeconomic reforms necessary for integration into the European Union (EU). As a result of continued and synchronized efforts at all levels to finalize the answers to a comprehensive questionnaire of the European Commission, the Presidency of Bosnia and Herzegovina provided the answers to more than 3,000 questions, relating to the compatibility of the country's economic, legal and social systems with EU standards, to the European Commission's President, Jean-Claude Juncker, on 28 February, thereby reflecting its readiness to join the European Union. We look forward to receiving the opinion of the European Commission based on the answers to the questionnaire, which we hope will be forthcoming soon. Pending the results of the Commission's analysis of Bosnia and Herzegovina's readiness for accession to the EU, we will continue the implementation of the Stabilization and Association Agreement.

We thank the European Union and its States members for their strong support for Bosnia and Herzegovina's European path. For its part, Bosnia and Herzegovina will continue to work towards improvement in all areas, including reforms, strengthening the rule of law and good governance, thereby emphasizing the unwavering commitment to Bosnia and Herzegovina's membership in the European Union.

One of the main priorities of Bosnia and Herzegovina's foreign policy is the advancement of friendly and constructive cooperation among the countries of the region on issues of mutual interest. That is why Bosnia and Herzegovina continues to pay

special attention to strengthening cooperation with countries in the region. The countries of the Western Balkans continue to hold regular meetings at the highest levels that are generating a positive political atmosphere. A recent significant meeting took place on the 6 March, when members of the Presidency of Bosnia and Herzegovina hosted a successful trilateral meeting with President Kolinda Grabar-Kitarović of Croatia and President Aleksandar Vučić of Serbia.

We recognize the Government of Bulgaria, which holds the presidency of the Council of European Union for the period from January to June of this year, for organizing the summit of the EU and Western Balkans leaders to be held in Sofia next week. That will be the first summit of the EU and Western Balkans leaders since the one held in Thessaloniki in 2003. Bosnia and Herzegovina will actively participate in the summit in Sofia. The Western Balkans Cooperation, within the framework of the Berlin process, remains a crucial driver for the integration of the region into the European Union, as well as for cooperation and stability within the region of the Western Balkans. We look forward to actively participating in the upcoming summit, which is expected to be held in London in July.

Bosnia and Herzegovina has intensified its efforts in strengthening the rule of law in the following key areas. During the reporting period, Bosnia and Herzegovina continued to fulfil its international obligations with regard to countering terrorism and violent extremism. The framework action plan and the strategy for prevention and combating terrorism for the period from 2015 to 2020 is being implemented. The judicial institutions of Bosnia and Herzegovina continue to prosecute individuals involved in fighting on behalf of terrorist organizations, as well as those facilitating the recruitment of terrorist fighters. It is important to emphasize that the strategy, together with security measures, includes preventive activities for deradicalization undertaken by national stakeholders, such as religious communities, educational institutions, civil society organizations and the media.

Moreover, during the reporting period, Bosnia and Herzegovina's rule of law and security institutions made progress in combating organized crime, human trafficking, drugs, corruption and money laundering. The action plan to address Bosnia and Herzegovina's deficiencies in anti-money-laundering regulations has been implemented, and, in February, Bosnia and Herzegovina was removed from the Financial Action Task Force's list of high-risk third countries with structural deficiencies in anti-money-laundering and counter-terrorist financing.

With regard to processing war crimes before domestic courts, we would like to reiterate that fighting impunity is vital for Bosnia and Herzegovina as a complex and multinational State. In that context, implementing the national strategy for processing war crimes, regardless of the national or religious origin of perpetrators and victims, is essential for reconciliation and long-term stability.

With regard to the economic situation, it is always important to stress that Bosnia and Herzegovina's economy, like others in the region, has been affected by global economic fluctuations. However, we are making progress in establishing a functioning market economy and furthering our economic growth. Economic growth has been at 2.5 per cent on average annually over the past five years. The number of registered unemployed persons in 2017 dropped by 6.9 per cent, as compared to a decline of 3.9 per cent in 2016. Nevertheless, the youth unemployment rate is still over 50 per cent. Job creation for youth and the creation of a legal framework to improve the business environment will remain priorities in the economic reform programme in the upcoming period.

The international migrant crisis continues to pose a substantial challenge to the States of the region and their economies. During the second half of 2017, Bosnia and Herzegovina experienced a significant increase in refugees and migrants, most of whom crossed the border in an irregular manner. Arrivals have continued this year, which temporarily exceeded Bosnia and Herzegovina's accommodation capacity in January.

In that context, Bosnia and Herzegovina's authorities have undertaken a set of comprehensive measures, including in the humanitarian and security areas. Bosnia and Herzegovina is implementing its strategy in the area of migration and asylum, along with its plan of action for the period of 2016-2020. The document has specified the Bosnia and Herzegovina policy in the area of migration and asylum in accordance with the highest European and international standards. Bosnia and Herzegovina has in place a migration coordination body led by the Ministry of Security, which has been closely reviewing the evolving context of the refugee and migrant situation in the country

and planning further action in coordination with the Council of Ministers.

The European Union-led Operation Althea has been present in Bosnia and Herzegovina for many years. It is important to emphasize that Bosnia and Herzegovina has had respectable and fruitful cooperation with Operation Althea, particularly in the capacity-building and training of the armed forces of Bosnia and Herzegovina. We wish the new Commander of the European Union Force, Major General Martin Dorfer, every success in further strengthening cooperation with the authorities of Bosnia and Herzegovina.

Bosnia and Herzegovina continues to contribute to international peace and security by providing its military and police personnel to United Nations peacekeeping missions. Presently, we have 42 personnel serving in United Nations peacekeeping missions worldwide.

Finally, we would like to express the readiness of Bosnia and Herzegovina's authorities to continue their work in securing a better and prosperous future for its citizens. At the same time, we would also like to express gratitude to our international partners for supporting Bosnia and Herzegovina on that path.

The President: I now give the floor to the observer of the European Union.

Ms. Adamson: I have the honour to speak on behalf of the European Union (EU) and its member States. The former Yugoslav Republic of Macedonia, Montenegro, Albania and Liechtenstein align themselves with this statement.

I join other speakers in welcoming High Representative Valentin Inzko back to the Security Council and in assuring him of the European Union's continued support. I also welcome the Permanent Representative of Bosnia and Herzegovina and thank him for his statement.

I recall my delegation stating a year ago (see S/PV.8089) that 2016 had been a very good year for Bosnia and Herzegovina, both in terms of reforms and progress towards European integration. Unfortunately, the same cannot be said for 2017. Early electoral campaigning, divisive rhetoric and delayed, if not stalled, reforms have too often occupied the main headlines. But 2018 does not have to continue that cycle. Recent developments — ranging from the submission of the replies to the EU Commission questionnaire, the adoption of excise legislation or the removal of Bosnia and Herzegovina from the list of countries under the Grey List of the Financial Action Task Force — show that results can be obtained if Government coalition partners focus on improving the lives of citizens and delivering reforms.

Bosnia and Herzegovina has made clear its desire to become a member of the European Union. That strategic commitment from the country's institutions and leaders should be followed up by concrete reforms, for which there is substantial EU support. Strengthening the rule of law and fighting corruption and organized crime are key for advancing the socioeconomic situation in the country and EU rapprochement.

We are now approaching the end of the current legislature. The implementation of the reform agenda has delivered mixed results. Elections have been officially announced today to be held on 7 October. Official election campaigning will start. The real question for the election campaign is what new proposals on putting into action the reform agenda the new Government will put forward after the October elections. That is an opportunity political leaders should seize to show both their citizens and EU member States their concrete proposals to take forward reforms and improve the lives of citizens.

Bosnia and Herzegovina today still has a gross domestic product per capita lower than in the 1980s. The percentage of Bosnia and Herzegovina's citizens born in the country and living abroad is the highest in Europe, including the Western Balkans. Emigration of talented young people continues unabated. That brain drain puts a mortgage on the country's future.

(*spoke in French*)

It has often been said that to govern is to write prose, and to conduct an election campaign is to declaim poetry. What the election campaign needs, however, is prose that looks to the future and puts forward a political agenda for concrete progress. The glorification of war criminals found guilty by an international court, playing the secessionist card or glossing over rearmament, all such rhetoric from the past simply has no place in the electoral campaign of a European country aspiring to join the European Union. Despite a relatively calm security situation, in that politically charged context, the European Union maintains its firm support for the European Union-led peacekeeping force Operation Althea and the mandate given to it by the Council.

(*spoke in English*)

The conduct of elections also entails the proper implementation of its results. Unless political leaders break the current impasse on electoral reform, there is a real risk that the elections will fail to produce a Government, and a Government is essential to take forward reforms. There is nothing inevitable about a political crisis after the elections. Politicians in Bosnia and Herzegovina have the responsibility to prevent one. To date, we have witnessed from all sides little willingness for cross-party compromise. To ensure the proper implementation of recent rulings by the Constitutional Court of Bosnia and Herzegovina, political leaders of Bosnia and Herzegovina must find a compromise without further delay.

While acknowledging that the Constitution of Bosnia and Herzegovina lists Bosniaks, Croats and Serbs as constituent peoples, along with others, the European Union reiterates that the principles of equality of all citizens and non-discrimination shall be fully warranted. The most pressing issue is to find a solution that will enable the formation of the Federation House of Peoples and political institutions linked to it as required by 2016 and 2017 Bosnia and Herzegovina Constitutional Court decisions. The issue of local elections in Mostar requires full attention as well.

The European Union considers that electoral reforms should be approached in a spirit of consensus and dialogue as an important matter, thereby also calling on Bosnia and Herzegovina to implement the Organization for Security and Cooperation in Europe and Office for Democratic Institutions and Human Rights recommendations in order to move the country towards European standards, improving democratic processes for future elections.

The EU, together with our international partners, including the United States, has worked extensively through facilitation efforts to resolve the current electoral impasse, and we will continue to do so. The onus, however, remains on the authorities of Bosnia and Herzegovina to take ownership for political reforms. Bosnia and Herzegovina needs to show the international community, and the EU member States in particular, that it can organize its political life effectively and in a spirit of compromise — a prerequisite for any country aspiring to become a member of the EU.

The election of the members of the Presidency will be addressed after the October elections. While electoral campaigning will play a major part in the political scene of Bosnia and Herzegovina in the coming months, we urge other actors, chiefly the rule-of-law institutions, to continue taking forward reforms, and for judges, prosecutors and law enforcement officials to continue adjudicating, prosecuting and investigating with full determination. In that context, we expect appropriate amendments to the Criminal Procedure Code of Bosnia and Herzegovina to be adopted as a matter of priority. The amendments should be in line with international standards and should not undermine the ability of institutions to tackle serious organized crime, corruption and other rule of law challenges. In addition, the European Union calls on the institutions of Bosnia and Herzegovina to step up efforts regarding the functioning and the independence of the judiciary, strengthening migration and border management, fighting corruption and organized crime, as well as countering terrorism and violent extremism and preventing radicalization.

The adoption, in February, of the strategy for the Western Balkans demonstrates our renewed commitment to the Western Balkans. On 17 May, the European Union's leaders will hold a summit in Sofia together with all our Western Balkans partners. Fifteen years after the Thessaloniki Summit, the door to the European Union remains open. It is for Bosnia and Herzegovina to seize the opportunity offered and to fulfil the conditions to reach its European goal.

Finally, Bosnia and Herzegovina's resolve to move forward towards European integration needs to translate into an election campaign that allows for honest reflection on the challenges ahead and the reforms required to address them. That means an election campaign that does not dwell on what happened a quarter of a century ago, but that puts forward concrete proposals for its citizens to decide where the country sees its own future.

The President: I now give the floor to the representative of Croatia.

Mr. Drobnjak (Croatia): Croatia welcomes this discussion. Following the statement by the observer of the European Union (EU), I shall make some additional remarks in my national capacity.

Let me start by welcoming the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, Mr. Valentin Inzko, and by

thanking him for his report (S/2017/922, annex) and briefing today.

The period ahead of us will be of key importance for Bosnia and Herzegovina. With that in mind, we need to emphasize once again that a stable, peaceful and united Bosnia and Herzegovina, based on the genuine institutional equality of its three constituent peoples and all citizens, is a generator of stability for South-Eastern Europe and beyond. Against that background, the full implementation of the Dayton Peace Agreement was, and still is, the anchor of stability and peace in Bosnia and Herzegovina.

The Dayton Peace Agreement codified the fundamental principle upon which Bosnia and Herzegovina stands: there are three constituent peoples who are equal owners of sovereignty and political legitimacy in Bosnia and Herzegovina. Serbs, Croats and Bosniaks should be equal in every respect, including exercising the same responsibility in safeguarding the functionality and stability of this multi-ethnic and multi-religious country The Dayton Peace Agreement provides a pivotal institutional and constitutional framework for that.

Croatia was among the first States to recognize the independence and the territorial integrity of Bosnia and Herzegovina at the hardest of times during the aggression of the Slobodan Milošević regime and the Yugoslav People's Army in the first half of the 1990s. Croatia played a crucial role in the birth and survival of Bosnia and Herzegovina as an independent State. That is an established historical fact. We must look towards the future, but history should not be forgotten: during the war in the 1990s Croatia sheltered hundreds of thousands of refugees from Bosnia and Herzegovina and provided humanitarian assistance in many ways, from logistics and equipment, to medical care. Upon the request from the leadership of Bosnia and Herzegovina, and in accordance with our bilateral agreements, Croatia provided decisive military assistance, thereby preventing the fall of the city of Bihać and a repetition of the Srebrenica genocide. In a word, Croatia played a pivotal role in ending the war in Bosnia and Herzegovina and enabling the Dayton Peace Agreement.

As a signatory of the Dayton Peace Agreement, Croatia bears special responsibility for the well-being of Bosnia and Herzegovina and remains unequivocally committed to the territorial integrity of Bosnia and Herzegovina as a sovereign and united country, as well as to the equality of its three constituent peoples with full respect towards the rights of the others. Bosnia and Herzegovina's integration in the European Union and NATO remains our strategic goal.

Today Croatia provides Bosnia and Herzegovina with strong assistance in education, health care and basic services. Our trade exchange amounts to almost €2 billion per year, making Croatia the first trade partner of Bosnia and Herzegovina in terms of imports into the country, and the second regarding exports from Bosnia and Herzegovina. Croatia is also the leading foreign investor, with over €1 billion in investments in the real sector in Bosnia and Herzegovina. That all points towards one conclusion: for Croatia, Bosnia and Herzegovina is much more than a neighbour. Bosnia and Herzegovina is our partner, and we wholeheartedly support it in building a better future for all its citizens.

As an EU and NATO member State, Croatia will continue supporting Bosnia and Herzegovina in its EU membership ambition, while extending our full political support and technical expertise and assistance. Advancement in that process is of the utmost importance — not only because it is the best investment in the country's future, but because it is also a way to help to overcome difficult burdens of the past.

Bosnia and Herzegovina's road towards the European Union is of the highest order, but it is burdened with many hurdles. In that regard, Croatia would like to echo the European Parliament's resolutions on the progress of Bosnia and Herzegovina in 2015 and 2016, which point out that Bosnia and Herzegovina will not be a successful candidate for EU membership until appropriate institutional conditions have been established based on the principles of federalism, decentralization and legitimate and proportionate representation.

Bosnia and Herzegovina is fast approaching general elections in October 2018. This period is crucial for delivering results of inter-party dialogue for electoral reform. The urgent adoption of that reform, following the rulings by the Constitutional Court of Bosnia and Herzegovina in the Ljubić case and in the case of the city of Mostar, is not just necessary but of paramount importance for the stability of Bosnia and Herzegovina and the post-election implementation of electoral results. That reform should ensure proportionate and legitimate representation of the constituent peoples at all levels of Government, enforcing in particular

specific electoral provisions on the Federation House of Peoples, as well as the election of members of the Presidency of Bosnia and Herzegovina. Therefore, an overarching electoral reform is needed in order to keep the pillars of the peoples' equality alive and preserve the stability of Bosnia and Herzegovina.

As mentioned in the EU statement, the election of the members of the Presidency will be addressed after the October elections. Let me add to that: it could and should be addressed even sooner — as soon as possible — with all due urgency. That will depend primarily on the genuine readiness of all parties concerned, and Croatia strongly supports efforts in that regard.

What Bosnia and Herzegovina needs today is not the inflammatory rhetoric of certain political groups, but the wisdom to embrace the fundamental principles and political features of Bosnia and Herzegovina, which are deeply rooted in the country's complex history and essential for its prosperous future. The country's Central Election Commission has called for the October general elections. The holding of elections and the implementation of their results, including proper functioning of the institutions, is an essential democratic requirement for any country. Therefore, the political leaders should be aware of the responsibility they carry for the future of their homeland. People today, especially the young, are voting with their feet. Political apathy will only add to the sense of despondency caused by the socioeconomic situation, as the economy of Bosnia and Herzegovina is still falling short of the expectations of its citizens. Bosnia and Herzegovina deserves a better future.

In conclusion, we sincerely hope that Bosnia and Herzegovina will find the strength and the prudence to overcome the present political impasse and proceed more efficiently on the path of EU and NATO integration. For that, a comprehensive electoral process in October is indispensable. Croatia will continue to advocate a sharp and permanent focus on Bosnia and Herzegovina at the European and international levels. Bosnia and Herzegovina deserves our constant attention and assistance in order to unleash its full and untapped potential.

The President: I now give the floor to the representative of Serbia.

Mr. Milanović (Serbia): Regional stability and the development of overall cooperation in the Western Balkans have been long-standing foreign-policy priorities of Serbia. The pursuit of those goals has long been reflected in the activities of my country, as we believe that that is the best way to bring about a politically stable and economically dynamic region. The joint projects we undertake are therefore of paramount importance in our endeavours to provide realistic prospects for a better future for Serbia and its neighbours. We are convinced that Serbia's goodwill is acknowledged and recognized, and have therefore always been ready and willing to invest additional efforts to achieve more in that regard. To achieve those goals, Bosnia and Herzegovina is a crucial and reliable partner in our joint march along the same road.

Serbia's ties with Bosnia and Herzegovina are deep-rooted and manifold. In 1995, the milestone Dayton Peace Agreement was signed, ending a protracted and bitter war in Bosnia and Herzegovina. Serbia is a guarantor of the Agreement and continues to believe that it is very important. It provides a basis for peace and stability and is key to the promotion of the all-important goal of genuine reconciliation and mutual trust and confidence. However, we are still called upon to continue to invest our best efforts in its achievement, notwithstanding occasional discordant tones heard in the region that remind us of events of the tragic past. Detrimental to the efforts that we have all elected to promote, they often burden the political situation in Bosnia and Herzegovina, create unnecessary problems among the country's entities and constituent peoples and affect the situation in the entire region.

Serbia has been a staunch and consistent supporter of the principles of sovereignty and territorial integrity. The Western Balkans' recent past is indicative of their importance to peace and stability and the creation of sustainable confidence. Respect for such principles is a sine qua non in relations with neighbours. Based on the provisions of the Dayton Peace Agreement, Serbia has been firmly and genuinely committed to Bosnia and Herzegovina's sovereignty and territorial integrity.

Serbia believes that potential differences in the positions of the entities on important issues, both with regard to jurisdiction and election law, as well as other issues, belong in the realm of internal questions for Bosnia and Herzegovina, and supports genuine and open dialogue, which it believes is conducive to implementable solutions acceptable to all. All sides are called upon to work towards building mutual confidence and respect.

Serbia supports an unimpeded election cycle in Bosnia and Herzegovina. Transparency, good faith and responsibility will help much in that regard. They will also help the country's joint institutions function more effectively and make a greater contribution to its reform processes. One-sided acts, exchanges of heated, negative messages and the recycling of old divisions and problems and the creation of new ones are contrary to the true interests of all citizens of Bosnia and Herzegovina.

Serbia is convinced that political dialogue at all levels with Bosnia and Herzegovina is of particular importance for the development of all-round relations. Officials of the two countries took part in many meetings — bilateral and multilateral — in the preceding period. One very important meeting was the trilateral meeting among the members of the Presidency of Bosnia and Herzegovina and the Presidents of Croatia and Serbia in Mostar on 6 March.

Economic cooperation between Serbia and Bosnia and Herzegovina and continued efforts by the two countries to constantly develop it have had a positive impact on overall bilateral relations. Over the past 10 years, Serbia and Bosnia and Herzegovina have doubled their trade exchange. We are also well aware of the importance of strengthening regional efforts in order to bring people together and link economies. Such efforts will continue to be bolstered in no small measure by regular discussions of concrete projects in the areas of infrastructure, energy, tourism, free trade and, in particular, the modernization of roads and rail road corridors.

We are joined in our common endeavours with Bosnia and Herzegovina and by our common aspirations to join the European Union (EU). The European Union may face multiple challenges and be in the process of consolidation, but we are emboldened by the fact that our efforts are appreciated and accorded the attention that we in the region expect. The fact that the European Union's policy of enlargement to the Western Balkans is a continuous and stable process that provides for the admission of new members, perhaps even before 2025, is also evinced by documents it adopted recently. Their message is constructive and encouraging and grist to the mill of the region's reforms and development of mutual cooperation. The processes of reform and cooperation are of great importance for my country, widely seen as a viable candidate for EU membership in 2025, for Bosnia and Herzegovina and for some of Serbia's other neighbouring countries. While carrying out its own reform processes, Serbia looks forward to each and every success Bosnia and Herzegovina achieves and is willing to share its own experiences and help Bosnia and Herzegovina in its progress towards European integration.

The people of Serbia and Bosnia and Herzegovina are very close. After all, Bosnia and Herzegovina, and in particular Republika Srpska, is home to a large number of Serbs. For the sake of a better future, Serbia is ready to cooperate extensively with Bosnia and Herzegovina and its entities. Through common will and joint efforts, we can make our relations catalytic to the processes of regional rapprochement and good-neighbourliness. Developing the region, employing its considerable economic potential, linking its infrastructure and ensuring better communications and movement will help us meet the justified expectations of our citizens. We should address unanswered questions about the past. However, we must do so in stride and not allow them to affect our present interests and achievements.

The meeting rose at 12.10 p.m.

United Nations S/PV.8249

Security Council

Seventy-third year

Provisional

8249th meeting
Tuesday, 8 May 2018, 3 p.m.
New York

President:	Ms. Wronecka	(Poland)
Members:	Bolivia (Plurinational State of)	Mr. Inchauste Jordán
	China	Mr. Zhang Dianbin
	Côte d'Ivoire	Mr. Djédjé
	Equatorial Guinea	Mrs. Mele Colifa
	Ethiopia	Mr. Alemu
	France	Mrs. Gueguen
	Kazakhstan	Mr. Temenov
	Kuwait	Mr. Alfassam
	Netherlands	Mr. Van Oosterom
	Peru	Mr. Meza-Cuadra
	Russian Federation	Mr. Polyanskiy
	Sweden	Ms. Schoulgin Nyoni
	United Kingdom of Great Britain and Northern Ireland	Mr. Allen
	United States of America	Ms. Tachco

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-13841 (E)

Accessible document Please recycle

The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of South Sudan to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Mr. Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations; His Excellency Mr. Ismail Wais, Intergovernmental Authority on Development Special Envoy for South Sudan; and Ms. Jackline Nasiwa, Centre for Inclusive Governance, Peace and Justice.

Mr. Wais and Ms. Nasiwa are joining today's meeting via video-teleconference from Addis Ababa and Juba, respectively.

The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Security Council will hear briefings by Mr. Lacroix, Mr. Wais and Ms. Nasiwa. I will provide a briefing in my capacity as Chair of the Committee established pursuant to resolution 2206 (2015), concerning South Sudan.

I now give the floor to Mr. Lacroix.

Mr. Lacroix: I thank you, Madam President, for the opportunity provided to colleagues of the African Union, the United Nations Mission in South Sudan (UNMISS) and myself to update the Security Council on the situation in South Sudan.

Today's meeting is timely as we look ahead to the next round of peace talks at the High-level Revitalization Forum in Addis Ababa. While I will principally speak about key developments in the country since we last briefed the Security Council in March (see S/PV.8197), it is paramount that I underscore to the Security Council that the peace process is at a critical juncture.

Heading into the next round of the High-level Revitalization Forum, the parties remain far apart on the critical issues of governance and security. The parties continue to argue over the ministerial quotas in any revised transitional Government arrangement, while agreement on the modalities of the permanent ceasefire and transitional security arrangements, including security arrangements for Juba and security sector reform, remains elusive. While the Intergovernmental Authority on Development (IGAD) has worked to try and narrow the gap in advance of the talks — which I am sure Special Envoy Ambassador Wais will tell us more about — the continued divergence in the positions of the parties was underscored by Government and opposition officials to Assistant-Secretary-General Keita, who has just returned from South Sudan and Ethiopia.

While President Kiir and his Government have repeatedly pledged to participate constructively in the High-level Revitalization Forum, rhetoric around the unilateral extension of the mandate of the Transitional Government of National Unity and the preparation of subsequent elections, should the High-level Revitalization Forum fail to yield an "acceptable" solution, is increasing. Those were the messages given to Assistant-Secretary-General Keita while she was in Juba three weeks ago.

Meanwhile, two weeks ago, the Transitional National Legislative Assembly was presented with a draft constitutional amendment bill, which would incorporate the 2015 Peace Agreement into the Transitional Constitution at a time when the very agreement is under review at the High-level revitalization Forum. Finally, last week, the Sudan People's Liberation Movement (SPLM) held an extraordinary meeting of its National Liberation Council with the overall objective of advancing peace through the reunification of the SPLM and the holding of elections. Several foreign dignitaries were also in attendance. While efforts aimed at the reunification of the SPLN are noteworthy, a unified and coordinated approach by all regional and international partners in support of an inclusive political initiative is critical at this juncture in the peace process.

Two weeks ago, I also met with Ambassador Francis Deng, a member of the national dialogue steering committee, who was making rounds to give briefings on the progress of the national dialogue. Apparently, grass-roots consultations have been completed and next steps include the launching of a constitutional review process, which would incorporate the outcomes of the consultations and set the framework for elections. June 2018 was cited as the date for completion of that process.

Concurrently, however, I had an opportunity to raise these developments with a visiting delegation of the South Sudan Council of Churches. In their estimation, the national dialogue has not been an inclusive process, with many South Sudanese constituents residing in largely Opposition-controlled territories being excluded from the local level consultations. Moreover, the delegation was frank about the serious violations that both sides continued to commit against civilians and expressed concern at the steady deterioration of the humanitarian and economic situation in the country.

The aim of grass-roots consultation is laudable, but must be considered alongside other political processes and must be inclusive; at the moment this is not the case, with the majority of opposition parties boycotting what they consider to be a flawed process.

It is our firm belief that the holding of elections in the current political, security and humanitarian environment is unrealistic and would be counter-productive. As we are all aware, despite the signing of the Cessation of Hostilities Agreement in December 2017, both the Government and the Opposition have remained bent on armed confrontation, controlling territory and forcing civilian displacement. In such a situation, it is always the civilians who suffer, as they are the ones who bear the brunt of the violence. It is especially disconcerting that between the adjournment of the High-level Revitalization Forum talks in February and now, a period in which we would have expected the parties to reflect on what compromises could be made to end the violence in South Sudan and sow the seeds of peace, military operations between the SPLA and the SPLA-in-Opposition have escalated. There are no signs of meaningful implementation of the Cessation of Hostilities Agreement, and a ceasefire remains a distant prospect.

We meet today on the heels of increased hostilities in Unity state between the SPLA and the SPLA-in-Opposition forces aimed at displacing populations, securing hitherto Opposition-controlled areas and supply routes between Bentiu and Leer. Reports indicate that the fighting, which resumed around the third week of April north of Mayendit and subsequently spread to areas north and south east of Leer, has resulted in mass civilian displacement, including reports of civilians fleeing into the surrounding swamplands and into the temporary protection areas adjacent to the temporary base operated in Leer by UNMISS, to escape indiscriminate violence and the burning and looting of property.

At present there are 1,744 internally displaced persons seeking refuge in the temporary protection area. UNMISS has reported the SPLA mobilization of armoured personnel carriers to clear the routes and that it has heard artillery fire. On 26 April, hostilities near Leer found the UNMISS temporary operating base subject to overhead fire. I should also add that, amid the increasing hostilities, humanitarian partners have been forced to evacuate from most of the affected areas, interrupting a range of activities, including those related to health, education, nutrition and water and sanitation for thousands of people.

Against this marked deterioration of the security situation, Special Representative Shearer travelled to Leer last week and saw at first hand the devastating results of the clashes, including deserted villages, burnt tukuls and ransacked health facilities, as well as civilians — including children — injured as a result of the fighting. During his mission to the affected areas, he met with both Government and Opposition authorities and urged the parties to respect the Cessation of Hostilities Agreement and reign in their forces. In the meantime, the Mission has dispatched a rapid investigation team from its human rights division to verify numerous reports of civilians being deliberately targeted by military forces allied to the SPLA and bands of youth during these operations, including being burnt alive in tukuls and pursued into the swamps. Insecurity has also increased in Jonglei, with the SPLA's successful resupply of its position in Waat and subsequent clashes in and around Opposition-controlled Akobo and its environs. Meanwhile, reports of clashes across parts of Central Equatoria state also continue.

I would like to add at this point that sexual violence remains a prominent feature of the conflict. The UNMISS human rights rapid investigation team deployed to document the impact of recent fighting in Unity state, in Leer and in surrounding areas has received several disturbing accounts of conflict-related sexual violence, including rape of young girls and gang rape. These latest reports only compound what we already know to be a desperate situation for women and girls in South Sudan, who continue to be the victims of appalling levels of violence. We must respond, and respond quickly, to ensure accountability for these violations and abuses and bring an end to these heinous acts once and for all.

Meanwhile, the humanitarian situation continues to deteriorate as a direct result of the protracted conflict. Nearly 4.3 million people have been displaced to date, including 1.7 million internally and 2.5 million across borders. In March, United Nations agencies reported that conflict-induced displacement was worsening the country's already dire food security situation, and anticipated that food security will continue to deteriorate with the upcoming lean season from May to July, likely to be the worst ever experienced in the country.

Against this dire background, however, aid workers continue to be a target in this conflict. Since the crisis began in 2013, approximately 100 aid workers have been killed, with numerous others targeted for attack or kidnapping. This is simply unacceptable in a context where these very individuals are racing against time to save lives.

UNMISS continues its efforts to protect civilians through an expansion of its protection activities, and is also working hand in hand with partners to respond to the worsening humanitarian situation, as well as supporting resilience and reconciliation efforts at the grass-roots level wherever possible. Success, however, is relative in this complex environment of active fighting and persistent insecurity.

It is against that backdrop that I reiterate that there must be a tangible cost for the continuation of violence in South Sudan. There must be consequences for blatant violations of the Cessation of Hostilities Agreement and broken promises to protect civilians. As a first step in that direction, I encourage the Security Council to urge IGAD to make public the ceasefire-violations reports drafted by the Ceasefire and Transitional Security Arrangements Monitoring Mechanism. The Mechanism is working to monitor and verify the reported violations, but these reports have yet to be published and deliberated on. Without consequences, we have no one to blame but ourselves for allowing the crisis to escalate unchecked and perpetuating a lack of confidence in a political solution to the crisis.

Finally, I also wish to urge the Security Council to use its voice to dispel this unhealthy narrative of regime change that some of South Sudan's leaders would like to use against the United Nations and the international community in a bid to win popular support. This narrative serves no one and only sows seeds of hate and paranoia in a country facing significant challenges and where localized violence is becoming endemic.

The President: I thank Mr. Lacroix for his briefing.

I now give the floor to Mr. Wais.

Mr. Wais: I thank you, Madam President, for inviting me to brief the Security Council today on the status of the implementation of the High-level Revitalization Forum on the Agreement on the Resolution of the Conflict in the Republic of South Sudan, led by the Intergovernmental Authority on Development (IGAD).

The Council will recall that I was given the task of supporting the IGAD Council of Ministers in order to facilitate the process leading to the revitalization of the 2015 South Sudan Peace Agreement. The mandate of the revitalization entails bringing together the parties to the Agreement and estranged groups deliberating and agreeing on the following parameters of the Peace Agreement: first, concrete measures to restore the permanent ceasefire; secondly, steps to restore the peaceful and inclusive implementation of the Peace Agreement, and, thirdly, a revised and realistic timeline for its implementation leading to a democratic election at the end of the transitional period.

Pursuant to this mandate, my briefing will focus on progress made in the revitalization process since the previous briefing I made to the Council (see S/PV.8192). I will also highlight the outstanding issues in the revitalization process, including the remedial actions undertaken to address them, and I will conclude with the way forward.

The Council will recall that the revitalization has been conducted in phases. The first phase of the Revitalization Forum was successfully facilitated by the IGAD mediators and culminated in the Cessation of Hostilities Agreement, on the protection of civilians and humanitarian actors, signed by the parties in December 2017. That was followed by the second phase, convened in February. In line with the first two objectives of the revitalization, which I have just highlighted, the second phase of the Forum was dedicated to discussing ways of restoring a full and inclusive Government and the permanent ceasefire and transitional security arrangement during the transitional period. Efforts during that phase of the talks were invested in reviewing the relevant chapters of the 2015 South Sudan peace

agreement, which dealt primarily with governance and security issues.

At the time of the adjournment of this phase of the forum, we had made significant progress towards the revitalization goals. Following structured deliberations and intensive discussions, the parties and stakeholders reached consensus on specific articles on governance and security, and initialed those provisions. Despite that progress, there remain some outstanding governance and security issues. Cognizant of the wide gaps, the South Sudanese parties and stakeholders at the talks urged the IGAD Council of Ministers to intensify its efforts to engage and assist them in making the necessary compromises to resolve the outstanding issues according to the IGAD Council of Ministers decision during its sixty-first extraordinary session, held on 26 March, in Addis Ababa to conduct shuttle diplomacy between the parties in order to narrow the existing gaps in their position and reach consensus.

Since 10 April, the IGAD Council and I have engaged the South Sudanese parties and stakeholders, including civil society and the South Sudanese Opposition Alliance, the Sudan People's Liberation Movement-in-Opposition, other political parties and the Transitional Government of National Unity. The Council also held a discussion with Salva Kiir, President of the Republic of South Sudan. During the shuttle diplomacy, the IGAD Council of Ministers heard the views of the parties and stakeholders on the outstanding issues and the entire revitalization process. It believes that there remain significant differences on outstanding issues.

In that regard, the Council of Ministers will include to enhance its engagement with the parties to bridge the outstanding gaps. As such, the Council of Ministers has invited the parties to an intensive session of deliberations aimed at identifying possible areas of compromise ahead of the resumption of the talks. That meeting will convene in Addis Ababa ahead of the resumption of the Forum, which commences 17 May.

The other challenge that could potentially undermine the credibility of the current peace process is the persistent violation of the Cessation of Hostilities Agreement by some parties. The Ceasefire and Transitional Security Arrangements Monitoring Mechanism has been documenting and reporting violations of the Cessation of Hostilities Agreement. There is therefore a need to hold violators and spoilers accountable in order to deter impunity. Without consequences for violation of the Agreement, it will be difficult to instil trust among the parties and stakeholders participating in the peace process. The credibility of the revitalization process would be at risk, and adherence to outcomes of the revitalized peace agreement would also be difficult to guarantee.

I commend the Security Council for its sustained effort towards restoring peace and stability in the Republic of South Sudan and its support for the revitalization process. Finally, I urge the Council to continue its support to IGAD and the region in pursuit of sustainable peace and stability in the Republic of South Sudan. It is also critical that the Council support IGAD and the African Union whenever they take measures against violators of the peace process.

The President: I thank Mr. Wais for his briefing.

I now give the floor to Ms. Nasiwa.

Ms. Nasiwa: On behalf of the Centre for Inclusive Governance, Peace and Justice, allow me to sincerely express my appreciation to Poland for inviting me to brief the Security Council. I am honoured to speak to the Council today on the situation in South Sudan as a civil society leader and on behalf of the suffering South Sudanese people, who have not known peace.

The 2011 referendum brought new hope of liberty, prosperity and unity to the people of South Sudan. But that hope was shattered by fighting among the political leadership of the country from 2013 to date. As women, we witness and experience gross violations of human rights and humanitarian law, as well as death, mass displacement, sexual abuse and rape. Although we are resilient, we are frustrated as our leaders fail to deliver a lasting political settlement to the crisis. We have watched our young children recruited to fight a senseless war. Our homes and our communities have become unsafe due to increased insecurity, continued fighting by the warring parties, increased rebellions by estranged groups, militia and unknown gunmen, inter-ethnic and communal cattle disputes. We are deeply worried about the future as the transitional period comes to an end amid the continued fighting.

We urge all the parties and the Government to commit to the High-level Revitalization Forum process as a priority and prerequisite for a peaceful transition and inclusive, fair and free elections. We applaud the efforts by the Intergovernmental Authority on

Development (IGAD), the Security Council, the United Nations Mission in South Sudan (UNMISS), faith-based leaders and civil society in working to secure peace and stability in South Sudan. However, the Council should note that, although the revitalization of the peace agreement is a premise for a stable, prosperous and peaceful South Sudan, the continued violation of its provisions undermines any stabilization efforts within the country. The IGAD High-level Revitalization Forum, which has been inclusive to date, is an opportunity for the parties and other estranged groups to make compromises for the sake of peace.

My organization recommends an enforcement mechanism, monitoring, reporting and strict adherence to declared ceasefires. We call upon IGAD, the African Union and the Security Council to expedite the establishment of transitional justice institutions. Chapter V of the peace agreement, on transitional justice, with a special focus on sexual violence against women, must be preserved. A gender-sensitive approach to the monitoring and reporting of ceasefire violations is also essential, as is the need to reform governance, justice, security institutions and for a comprehensive disarmament, demobilization, reintegration and rehabilitation programme. The competing geopolitical and regional interests within IGAD countries and the unlimited IGAD mandate further erodes the prospects for peace. I call on the Security Council to remain united and put more time and resources into ensuring that an inclusive IGAD process, supported by the African Union, reaches a final settlement without further delay The Council should provide support to women leaders and civil society groups during the transitional period through funding and capacity-building for a gendered and inclusive political process.

UNMISS remains critical and relevant to South Sudan, especially with regard to the protection of civilians, internally displaced persons and others in conflict-affected areas, as military and para-military groups and individuals continue to target women at water, firewood collection and food-gathering points. Women and children are frequently raped, sexually abused, tortured or killed. Victims suffer stigma, trauma, mental disorders, unwanted pregnancies and rejection by their husbands, as well as diseases, including HIV/AIDS. UNMISS should consult and work with civil society organizations, women and community leaders on conflict sensitivity and early-warning to develop and adopt a gender-sensitive approach to civilian protection.

I furthermore call for a speedy recruitment and full deployment of the Regional Protection Force, through the African Union, to Juba and other areas. It should be noted that, as the capital, Juba has experienced relative peace and calm owing to the presence and patrols by the Regional Protection Force. With the presence of UNMISS in Yei, civilians have begun to return, and the Lutaya market and shops, for example, have reopened.

We are disturbed by allegations of sexual harassment and abuse by UNMISS peacekeepers in Wau and in other sites. However, we welcome the strong stance by the Secretary-General with regard to his zero tolerance towards sexual abuse. We call upon UNMISS to expedite the investigations of its peacekeepers and make the reports public. We call for a United Nations policy and action on mainstreaming orientation and enforcing training on sexual harassment for its peacekeepers and United Nations police, as a critical element for disciplined peacekeeping missions.

Civil society is not an enemy. Civil society organizations play an important role in monitoring and bridging the gap between the Government and citizens through the delivery of humanitarian assistance, peacekeeping, the protection of human rights and the promotion of good governance. However, civil society representatives are often arrested, threatened intimidated or killed owing to their work. The diminishing space for civil society operations has forced some of the leaders to leave the country. For example, members of civil society are required to get permission by all sides to a conflict before carrying out their activities. The Security Council needs to express support for the important role civil society plays by speaking out against those actions.

I once more thank and commend the Security Council for allowing me to discuss the current situation in my country and the unbearable suffering of my fellow citizens. I believe that this Council meeting will bring peace to South Sudan and our suffering will come to an end. I conclude by saying *ana taban* — the people are tired. We need peace now.

The President: I thank Ms. Nasiwa for her briefing.

I shall now provide a briefing in my capacity as Chair of the Security Council Committee established pursuant to resolution 2206 (2015), concerning South

Sudan, on developments in the Committee since the outgoing briefing of my predecessor on 8 December 2017 (see S/PV.8127). I intend to focus on the recommendations set out in the final report of the Panel of Experts (see S/2018/292), which was submitted to the Committee on 14 March and published as a document of the Council on 12 April, and which was discussed by the Committee members on 11 April. I will also provide a brief overview of developments in the Committee since the start of the year to date, as well as what is expected in the weeks ahead.

I will not repeat in detail the findings of the final report, given that it was transmitted to the members of the Council and is now published as an official document. Let me only remind Council members that the Panel of Experts has presented its findings with regard to the political and security situation in South Sudan; violations of human rights and international humanitarian law; obstruction of humanitarian and peacekeeping missions; arms procurement and the implementation of the sanctions measures in South Sudan. Based on those findings, the Panel made three recommendations in its final report. Consistent with the Panel's conclusion that the patterns of the conflict reported to the Council earlier have persisted, those recommendations may be familiar to Council members as well.

First, in an appeal to the international community to apply more pressure on the parties, and while underscoring that without that the situation is likely only to deteriorate, with enormous humanitarian and regional security implications, the Panel reiterated its recommendation from its first report, of August 2015 (see S/2015/656), that the Security Council impose an arms embargo on South Sudan. Given that this recommendation was addressed to the Council, the Committee took note of it, but did not take any action on it.

Secondly, while underlining that impunity continued to prevail in the country, the Panel renewed its recommendation addressed to the Committee to consider designating additional individuals and entities. The Panel reiterated that there had been no sanctions listings since the designation of six individuals on 1 July 2015, and that it had submitted to the Committee specific statements of cases on a number of individuals responsible for, or complicit in, actions and policies described in paragraph 9 of resolution 2290 (2016), including those responsible for the conditions that have resulted in the unprecedented humanitarian crisis. The Committee took note of that recommendation, as it did last year.

Finally, in response to the Panel's third recommendation, the Committee agreed to send letters to the members of the Intergovernmental Authority on Development, reiterating the importance of those States' obligation to enforce the asset freeze established under resolution 2206 (2015) and to specifically request that the bank accounts and assets of designated individuals Marial Chanuong Yol Mangok and Gabriel Jok Riak to be frozen.

I would now like to provide a brief overview of the Committee's work since my predecessor's briefing to the Council last December.

On 11 April, following the consideration of the Panel's final report, the Committee was briefed by the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Mrs. Virginia Gamba de Potgieter. As also reflected in the press release issued pursuant to the meeting, the Committee received the alarming update that grave violations against children had increased considerably over the course of last year, as compared to the previous two years. The United Nations had verified over 1,000 incidents of all six grave violations against children identified by resolution 1261 (1999), on children and armed conflict, affecting close to 1,400 children in South Sudan. In particular, the recruitment and use of children, by all parties to the conflict, was described as endemic. Children were not just used on an ad hoc basis to temporarily boost military capacities of parties to the conflict or to provide services. Instead, it was determined that the children of South Sudan were being used to fuel the war and abused in a systematic and sustained manner, which enabled war efforts to continue.

During the meeting held on 11 April, I reminded the Committee of my intention to conduct the first visit in my capacity as Chair of the Committee in mid-June. Earlier, I had informally discussed it with the Permanent Representative of South Sudan and received a positive response. As agreed by Committee members, I will visit South Sudan and other countries in the region — Ethiopia, Kenya and Uganda — to gain a first-hand account of the implementation of the sanctions measures in place regarding South Sudan. Additionally, as part of the second trip on behalf of the

Committee since its establishment in 2015, the country visits will provide an opportunity to strengthen dialogue and engagement with the States concerned with regard to the implementation of the sanctions regime. I intend to brief the 2206 Committee on my meetings and observations upon my return to New York.

In the lead-up to my visit, the Committee will hold its first open briefing on 31 May with States of the region and all interested Member States to hear views concerning the Panel's final report and the overall implementation of sanctions measures concerning South Sudan. Beyond regular Committee meetings, I intend to hold "informal informals" for interested members of the Committee at the Permanent Mission of Poland, such as the gathering this past Friday with a representative of a non-governmental organization dealing with South Sudan.

I now resume my functions as President of the Council.

I shall now give the floor to those Council members who wish to make statements.

Mr. Djédjé (Côte d'Ivoire) (*spoke in French*): My delegation thanks Mr. Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations; Ambassador Ismail Wais, Intergovernmental Authority on Development (IGAD) Special Envoy for South Sudan; and Ms. Nasiwa, for their respective briefings on the situation in South Sudan. We also thank you, Madam President, in your capacity as Chair of the Committee established pursuant to resolution 2206 (2015), concerning South Sudan, for your briefing on the Committee's activities within the framework of the implementation of the sanctions regime involving that country. Those briefings apprise us of the continued threats that are hindering the process of exiting the crisis in South Sudan. My statement will focus on the following issues: the political process, the security situation, the humanitarian situation and the human rights situation in South Sudan.

Concerning the political process, my delegation regrets the lack of genuine commitment by the parties to the conflict to search for a viable solution to the crisis in South Sudan, despite repeated calls from the international community and initiatives taken by IGAD, which Côte d'Ivoire commends for its tireless work. My delegation welcomes the diplomatic efforts of Ambassador Wais, as well as those of the representatives of the IGAD Council of Ministers, aimed at holding consultations with the parties to the conflict so as to overcome their differences and thereby facilitate discussions during the resumption of the High-level Revitalization Forum on the Agreement on the Resolution of the Conflict in the Republic of South Sudan. Côte d'Ivoire hopes that those consultations will enable actors to reconcile their differences concerning the governance and security issues that came up during the second phase of the Revitalization Forum, held in Addis Ababa from 5 to 16 February. My country urges the parties to demonstrate political will and become meaningfully involved in finding a political solution so as reach sustainable agreements on sharing power among members of the Transitional Government of National Unity and on security issues at the third phase of the Revitalization Forum, to be held from 17 to 21 May 2018 — in less than 10 days — in Addis Ababa. The people of South Sudan have suffered for too long and deserve peace and stability at long last. It is time for the parties to the conflict to give the peace process a meaningful chance.

Concerning the security situation, it is clear that, almost five years since the conflict in South Sudan began, the security situation remains worrisome. Despite the fact that the parties to the conflict signed the Agreement on Cessation of Hostilities, Protection of Civilians and Humanitarian Access on 21 December 2017 and their renewed commitment to respect it during the second phase of the Revitalization Forum on the peace process in February, the protection of civilians and humanitarian access are significant challenges that need to be addressed. My delegation is concerned about continuing clashes and reports of high levels of violence in Unity, Jonglei and Equatoria states. It is also concerned about the magnitude of the ethnic dimension of the conflict. My country therefore calls on the warring parties to cease hostilities and to respect the commitments made during the first two phases of the High-level Revitalization Forum on the peace process.

Concerning the humanitarian dimension, Côte d'Ivoire is concerned about the escalation of violence and clashes in certain areas, which has led to the displacement of thousands of people and hindered humanitarian work. With more than 4 million displaced persons and refugees and more than 7 million people at risk of food insecurity, the humanitarian situation in South Sudan is one of the most dire of its kind in the world. Given that, it is urgent that the international community and humanitarian organizations be

allowed to respond to humanitarian needs and provide assistance to those populations in urgent need within a secure environment. My delegation reiterates its appeal to the various parties to respect unconditionally the agreement of 21 December 2017, which demands, inter alia, unhindered access for humanitarian workers. In that regard, my country firmly condemns the detention of humanitarian workers, as well as any other act aimed at preventing the delivery of humanitarian aid.

With regard to the human rights situation, Côte d'Ivoire is concerned about allegations of continued human rights violations and the destruction of property and the livelihoods of the people. My country encourages the South Sudan Transitional Government of National Unity and the African Union Commission to step up the establishment of the Hybrid Court of South Sudan, responsible for prosecuting those responsible for crimes under the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan. Côte d'Ivoire continues to believe that the establishment and operationalization of the Hybrid Court will contribute to bringing about peace and decreasing human rights violations. We welcome the release by armed groups of more than 200 children on 17 April. While we remind all those involved in the South Sudan conflict that the recruitment or use of children in armed conflicts is prohibited, my country urges them to do more to protect children and to speed up the release of those who remain in their charge.

My country congratulates you, Madam, for the work that you have done in your capacity as Chair of the 2206 Committee and reaffirms its support for your forthcoming visit to South Sudan and other countries in the region.

In conclusion, my country calls on Members of the United Nations, in particular the countries of the region, to ensure strict compliance with the sanctions imposed on South Sudan. That would contribute to bringing stability to a country devastated by conflict that has gone on too long.

Mr. Inchauste Jordán (Plurinational State of Bolivia) (*spoke in Spanish*): My delegation would like to thank the Under-Secretary-General, Mr. Jean-Pierre Lacroix, the Intergovernmental Authority on Development (IGAD) Special Envoy to South Sudan, Mr. Ismael Wais, and Ms. Jackline Nasiwa for their briefings. Similarly, we thank you, Madam President, for your briefing and leadership at the helm of the work of the Committee established pursuant to resolution 2206 (2015), concerning South Sudan.

Unfortunately, the situation in South Sudan remains one of the most critical in the world. The constant deterioration of security, the slow progress in the political process and the complicated economic situation are exacerbating the humanitarian crisis, which is increasingly difficult to control and affects a large swath of the population. Given that complex backdrop, we are aware that it is very difficult to find an immediate solution, especially if deep divides persist between the parties. It is regrettable that the clashes have continued despite the signing of the Cessation of Hostilities Agreement, in December 2017.

For that reason, it is essential to work towards reconciliation between the parties to the conflict, and we therefore highlight the recent progress made in the 2015 agreement on the reunification of the Sudan People's Liberation Movement. We also acknowledge the recent statement by President Salva Kiir calling for the return of the opposition leader, Riek Machar, to Juba, which, if done, could ease tensions on the ground.

We also welcome IGAD's efforts and commitment, which continues its work to bring the Government and opposition groups to the negotiating table through the High-level Revitalization Forum of the peace process. However, it is clear that the process will not have the expected results until the parties take the commitments made seriously and show real political will to deliver on them. We expect full participation and flexibility from the parties in the next phase of the forum, scheduled from 17 to 21 May.

The humanitarian situation, as I mentioned, remains alarming. The data presented by the Office for the Coordination of Humanitarian Affairs show us a very difficult reality, in which more than half of the world's population needs humanitarian assistance. Millions of refugees and internally displaced persons face a lack of basic services, severe food insecurity and disease outbreaks. We call on the international community to continue to cooperate to ensure humanitarian assistance in South Sudan.

South Sudan today is one of the most dangerous places in the world for humanitarian workers. We deeply regret the deaths of three of them last month, with approximately 100 deaths since 2013. We condemn the attacks on humanitarian workers and urgently call on the Government and opposition groups to ensure

unhindered and safe access for humanitarian assistance, within the framework of respect for international humanitarian law and an optimal operational environment for the United Nations Mission in South Sudan. In the same vein, we call on the parties to uphold the status of forces agreement and take concrete measures to prevent any breaches.

Another aspect that we believe is important to mention is the request made by the delegation from the African Union Peace and Security Council during its visit to South Sudan last month, in which it called for greater cooperation in the establishment of the Hybrid Court to advance the fight against impunity. On the other hand, with regard to the recommendations of the Panel of Experts, we agree that the Security Council should avail itself of all the tools at its disposal to adopt measures against those who sabotage or do not comply with the outcomes of the IGAD process.

In conclusion, there is a need for regional and subregional organizations, the United Nations and the international community at large to join forces in support of IGAD's efforts. We, the members of the Security Council, have agreed that the only way to resolve the conflict in South Sudan is through a process of inclusive and sincere political dialogue between the parties to implement the 2015 Agreement.

Mrs. Mele Colifa (Equatorial Guinea) (*spoke in Spanish*): First of all, allow me to thank you, Madam President, for the information you have provided in your capacity as Chair of Committee established pursuant to resolution 2206 (2015), concerning South Sudan, and Mr. Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations, for the hard work he has carried out in the context of his responsibilities and especially for the excellent briefing he delivered. In the same vein, we would also like to thank Mr. Ismael Wais, Special Envoy of the Intergovernmental Authority on Development (IGAD) and Ms. Jackline Nasiwa of the Centre for Inclusive Governance, Peace and Justice.

The Government of Equatorial Guinea once again commends the hard work and outstanding efforts of IGAD, the African Union and the United Nations Mission in South Sudan (UNMISS) to bring the warring parties closer to constructive and direct dialogue in search of peace and stability in South Sudan. We believe that the participation of the parties in the round of consultations to be held in Addis Ababa from 10 to 12 May will be crucial in providing continuity and reorienting the dialogues during the third phase of the High-level Revitalization Forum.

However, it should be noted that the Republic of Equatorial Guinea is entirely dismayed and concerned by the content of the latest reports and statements received on the situation in South Sudan. The Department of Peacekeeping Operations submitted an information sheet on violations of the UNMISS status of forces agreement, in which, among other obligations, the Government of South Sudan undertook to take

> "all appropriate measures to ensure the security and safety of UNMISS, its members and associated personnel and their property and assets".

Without going into each of the violations set out in the information sheet, we would like to remind the Government of the Republic of South Sudan and the other parties involved that, in addition to seeking peace, there is a humanitarian obligation to save lives and help the millions of South Sudanese who are facing poverty, food insecurity and a shortage of basic services. The fulfilment of that responsibility will be a success only if humanitarian operations are facilitated and the threats and risks faced by humanitarian assistance organizations and their courageous staff are eliminated. Therefore, the Government of the Republic of Equatorial Guinea urges the Government of the Republic of South Sudan to cooperate with UNMISS, so that together they may achieve the sole objective, which is none other than to grant the peace and stability that the people of South Sudan deserve.

For my country's Government, the humanitarian situation in South Sudan remains unacceptable. The constant, increasing and ongoing violations of human rights, and especially the violations perpetrated against children in armed conflicts, which are even used as tools of war, were confirmed by the report presented on 11 April by Mrs. Virginia Gamba de Potgieter, Special Representative of the Secretary-General for Children and Armed Conflict, to the Committee established pursuant to resolution 2206 (2015). That practice must cease immediately. To that end, we urge the department of child protection to carry out its work to monitor and denounce these serious violations in South Sudan and, in collaboration with the Government of South Sudan, to combat impunity for the perpetrators.

As we have done on previous occasions, we reiterate that it is important that the parties to the conflict refrain from taking actions that could worsen the situation and

that they take action to implement and honour the signed agreement, which entails the cessation of hostilities, the protection of civilians, access to humanitarian aid and an immediate return to the negotiating table. In that regard, we understand that it is of vital importance that the international community continue to support existing mediation efforts, especially those of IGAD and the African Union, and look for ways to ensure the success of the new phase of the High-level Revitalization Forum on the peace agreement.

I will conclude by expressing the joy felt by my Government at the news of the liberation of more than 200 children by armed groups in South Sudan, bringing the number of children released this year to more than 500. My Government also welcomes the news of the liberation of seven humanitarian organization workers in South Sudan, days after being detained by Sudan People's Liberation Army in Opposition forces in Morobo county.

The President: I now give the floor to the representative of South Sudan.

Mr. Malwal (South Sudan): Allow me to congratulate you, Madam, upon the assumption of your duties as the President of the Security Council for the month of May. I assure you of our delegation's support and cooperation during your presidency. We look forward to your upcoming visit to South Sudan.

With your permission, Madam President, I would like to officially extend our condolences to the delegation of Côte d'Ivoire on the untimely passing of their Head of Mission.

I would also like to acknowledge and welcome the presence of Mr. Jean-Pierre Lacroix, Under-Secretary-General for Peacekeeping Operations, Ambassador Ismail Wais, Intergovernmental Authority on Development (IGAD) Special Envoy for South Sudan, as well as Ms. Jackline Nasiwa, in Juba.

My delegation would like to make the following brief observations for the record regarding the final report of the Panel of Experts (see S/2018/292).

First, we are dismayed that the report is openly tilted against the Government and its senior officials. Although the Panel has been visiting Juba, it mainly cites sources and information taken from interviews conducted with members of the opposition in Nairobi and Kampala. Government senior officials are mentioned repeatedly as hardliners in order to paint their strong verbal defence of the Government as an obstacle to peace. One cannot help but deduce that the purpose of those officials being referred to in that way is to lay the ground for the justification of international sanctions against them.

Secondly, the report of the Panel of Experts is biased, in our opinion. For example, paragraph 82 states that the opposition forces

> "continue to have limited access to external arms and ammunition. The shortage of ammunition, in particular, has limited offensive operations by opposition groups in many locations. Opposition commanders reported that they were increasingly limited to small-scale guerrilla tactics, dependent on movement and the avoidance of direct confrontation with Government forces."

On the other hand, the Panel reports that the Government is still receiving arms through the region, information which leads them to recommend an arms embargo against the Government.

Thirdly, as mentioned in paragraph 77, the Permanent Mission of China to the United Nations advised the Panel in an email "to carry out its activities in accordance with the mandate of the resolutions and in an objective and just manner". Indeed, we would like to associate ourselves with the response of the Chinese Mission — that the Panel ought to confine its investigation to the boundaries and time frame of its mandate. In trying to establish certain facts, connections and associations, the Panel has been looking and reporting on events and arrangements that happened before 15 December 2013 in South Sudan. The Panel is even going after family members of those who are under sanctions, because of information provided by the opposition.

The Government of the Republic of South Sudan is committed to cooperating with the Panel of Experts in order to quickly end the crisis in South Sudan. But, unfortunately, this report is full of one-sided examples against the Government, which brings into question the neutrality and the fairness of the Panel. The Government of the Republic of South Sudan would like to see a panel that is constituted by the Council to investigate and report credible and balanced findings to the Council in order for it to adopt fair, credible and realistic resolutions. Calling for an arms embargo based on this report aims only at punishing the Government, but will not end the war or bring peace to South Sudan. If we

may humbly state, the Council ought to focus on other effective means of ending war and bring about lasting peace in South Sudan, rather than risk prolonging it.

In conclusion, I would like to reiterate and assure the Security Council of my Government's commitment to cooperate with the United Nations Mission in South Sudan and of its continued commitment to finding lasting solutions to the various challenges facing the Mission and the various humanitarian actors in South Sudan.

The meeting rose at 4.10 p.m.

United Nations S/PV.8250

Security Council

Seventy-third year

Provisional

8250th meeting
Wednesday, 9 May 2018, 10 a.m.
New York

President:	Ms. Wronecka	(Poland)
Members:	Bolivia (Plurinational State of)	Ms. Córdova Soria
	China	Mr. Zhang Dianbin
	Côte d'Ivoire	Mr. Djédjé
	Equatorial Guinea	Mr. Ndong Mba
	Ethiopia	Ms. Guadey
	France	Mrs. Gueguen
	Kazakhstan	Mr. Temenov
	Kuwait	Mr. Alfassam
	Netherlands	Mrs. Gregoire Van Haaren
	Peru	Mr. Meza-Cuadra
	Russian Federation	Mr. Kuzmin
	Sweden	Ms. Schoulgin Nyoni
	United Kingdom of Great Britain and Northern Ireland	Mrs. Dickson
	United States of America	Mr. Simonoff

Agenda

The situation in Libya

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

18-14045 (E)

Accessible document Please recycle

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I give the floor to Prosecutor Bensouda.

Ms. Bensouda: I thank the Security Council for this opportunity to present my latest report on my Office's activities in relation to the situation in Libya. Before I do so, allow me to congratulate the Republic of Poland for holding the presidency of the Security Council during the month of May, as well as to thank you, Madam President, for presiding over today's briefing.

In 2017, I announced before the Council that Libya is a priority situation for my Office. I am pleased to inform members that since I last reported, in November 2017 (see S/PV.8091), my Office has made significant progress, including a return to investigations on the ground in Libya. Despite that progress, significant challenges remain, including ongoing conflict and insecurity throughout Libya, which have had an adverse impact on our ability to progress swiftly with our investigations. That ongoing conflict and instability continue to create fertile ground for violence and, regrettably, the commission of atrocities. Hence, I welcome the efforts of stakeholders in Libya to hold broad-based inclusive consultations aimed at breaking the long-drawn-out political stalemate, in an effort to stabilize and bring an end to conflict in Libya.

The efforts of those who continue to sow the seeds of further violence and discord are, first and foremost, at the expense of the suffering Libyan people. I express my condemnation of the recent double suicide bombing of the headquarters of the Libyan High National Election Commission in Tripoli a few days ago, on 2 May, which reportedly resulted in the deaths of at least 15 people and injured many others.

Surely, accountability for the grave and destabilizing crimes under the Rome Statute and full respect for the rule of law are integral to sustainable peace, stability and development in Libya. My Office continues to do its part within the four corners of its mandate, notwithstanding the challenges inherent in undertaking our investigations and prosecutions in a situation of ongoing conflict, as is the case in Libya. I am pleased to report that, on the strength of our resolve and commitment, we are steadily progressing in our investigations into not only crimes committed in 2011, but also more recent and ongoing crimes.

As the Council is aware from previous reports, due to security considerations, my Office had not conducted investigative missions in Libya for over five years. During that time, my Office sought innovative ways to continue its investigations and, as a result, secured successes. Nevertheless, not being able to investigate on the ground in Libya was far from ideal. We have remained committed to sending our investigators to Libya and have looked for every opportunity to do so. I am therefore pleased to report that, in March 2018, members of my Libya team travelled to the country for our first mission on Libyan territory since June 2012.

That recent visit to Libya marks significant progress in my Office's investigative activities. The value of the opportunity to work in the territory where alleged crimes have been, or are being, committed cannot be overemphasized. I am confident of the prospect of future missions to Libya that will offer renewed hope of more rapid progress in our investigative activities.

I would be remiss if I did not take this opportunity to express my deep appreciation to the Libyan Prosecutor-General's office for facilitating the mission in March and hosting my team. The visit would also not have been possible without the invaluable logistical support of the United Nations Support Mission in Libya (UNSMIL), and in particular the support of the Special Representative to the United Nations Secretary-General and Head of UNSMIL, Mr. Ghassan Salamé, whom I had the privilege to personally meet on the margins of the Munich Security Conference in February. I am most grateful to him and his staff for their invaluable support and concrete assistance. I look forward to continued constructive collaboration with those key partners in Libya.

I equally take this opportunity to invite the Council to engage further with my Office to identify areas on which we can work together to advance the trinity of peace, justice and stability in Libya, within our respective and complementary mandates.

As the Council is aware, three public warrants issued in the Libya situation remain outstanding. Most recently, on 15 August 2017, Pre-Trial Chamber I issued a public warrant of arrest against Mahmoud Mustafa Busayf Al-Werfalli for his alleged role in committing or ordering seven executions that resulted in the murder of 33 people. The executions were filmed and graphically depicted in videos posted on social media.

The arrest warrant against Mr. Al-Werfalli demonstrates my Office's commitment and capacity to quickly and effectively respond to alleged crimes that are increasingly being committed, as a result of social media, before our eyes. Investigators and prosecutors working under my supervision are able to gather and analyse evidence and, where reasonable grounds exist, apply for a warrant within a short period. The expeditious issuance of public warrants can be essential in circumstances where a deterrent effect may be achieved.

However, that desired deterrent effect can go only so far. Greater deterrence can be assured only through the arrest and surrender of suspects to the International Criminal Court (ICC) so that they may answer the charges against them. That is critical. The case of Mr. Al-Werfalli demonstrates the crucial importance of the timely arrest and surrender of individuals subject to ICC warrants of arrest. The Council is certainly aware that, despite being the subject of an ICC arrest warrant, Mr. Al-Werfalli remains at large and appears to have continued to act as a commander in the Al-Saiqa Brigade. Regrettably, there are now credible allegations that, in the period since the warrant was issued, he has committed further murders, which may be prosecuted by my Office as war crimes under the Rome Statute.

Since the issuance of the warrant, last year, I have repeatedly called on the Libyan national authorities to comply with their obligation to arrest and surrender Mr. Al-Werfalli to the ICC. I have also specifically called on General Khalifa Haftar, Commander of the Libyan National Army (LNA) and superior of Mr. Al-Werfalli, to cooperate with the Libyan authorities to enable and facilitate his arrest and surrender. ICC suspects who are indicted with charges of grave crimes under the Rome Statute cannot be sheltered or given refuge. They must be apprehended and face justice before the Court so that their guilt or innocence can be established. The Libyan people deserve answers. The victims of atrocity crimes in Libya deserve to have justice done and see that it is genuinely done. I have also appealed to all States, including members of the Council, to assist in effecting Mr. Al-Werfalli's immediate arrest and surrender to the Court.

That notwithstanding, to date Mr. Al-Werfalli has not been surrendered to the Court. What is further troubling is that, on 24 and 25 January, photographs and video footage emerged on social media that appeared to depict Mr. Al-Werfalli brutally murdering 10 people in front of the Bayat Al-Radwan Mosque in Benghazi. At the time of their deaths, those people were blindfolded, with their hands tied behind their backs. That horrific execution was reportedly carried out in retaliation for the equally horrific bombing carried out by unknown perpetrators at the same mosque the day before. Those two bombings resulted in the killing of at least 34 people, including children, and the wounding of more than 90 others. Those are all terrible crimes.

As I made clear in my public statement on 26 January, the bombings in front of the Bayat Al-Radwan Mosque, as well as the execution of 10 persons in apparent retaliation, demand condemnation from us all. They also demand action to prevent further atrocities that claim the lives of Libyan citizens. My Office continues to closely monitor the volatile situation in Libya, including in and around Benghazi. I will not hesitate to file new applications for warrants of arrest in relation to the Libya situation, including crimes in Benghazi, where there are reasonable grounds to believe that crimes within the jurisdiction of the Court have occurred, and the evidence supports such action.

The LNA has claimed that it is investigating Mr Al-Werfalli in relation to this most recent execution. In August 2017, the LNA also publicly stated that it was investigating Mr. Al-Werfalli for the alleged executions that are included in the ICC warrant of arrest. In the light of the additional murders allegedly committed by Mr. Al-Werfalli, which were filmed and shown on social media, those claims simply do not appear credible.

In my report to the Council in November 2017, I expressed my concern that the continued failure to secure the arrest and surrender of ICC suspects in Libya emboldened those already committing crimes.

Mr. Al-Werfalli's immediate arrest and surrender is now more important than ever, not only for him to answer for his alleged crimes but to also send a clear message to would-be perpetrators that such reprehensible crimes will not be tolerated and that there will be real consequences for the commission of such crimes.

I repeat my call to the Council to engage with my Office and lend its support in assisting with strategies for the arrest and surrender of ICC fugitives in Libya. Once again, I appeal to all States, including members of the Council, the Libyan authorities and the LNA, to facilitate Mr. Al-Werfalli's immediate arrest and surrender to the Court.

Turning to the other Libyan cases, reports about Saif Al-IslamAl-Qadhafi's whereabouts have appeared in the media. Those reports often present conflicting accounts about whether or not he continues to be detained in Libya. Regardless of Mr. Al-Qadhqri's custodial status, I take this opportunity to reiterate that the ICC warrant of arrest against him remains outstanding and that Libya continues to be under an obligation to immediately surrender him to the Court. I call on the Libyan authorities to take all the necessary steps to have Mr. Al-Qadhafi surrendered to the Court, in accordance with Libya's international legal obligations, the Court's rulings and repeated calls by members of the Council.

The warrant of arrest against Al-Tuhamy Mohamed Khaled, former head of the Libyan Internal Security Agency, also remains outstanding. That warrant was issued in April 2013, and made public in April 2017. Despite efforts by my Office, in cooperation with other organs of the Court, Mr. Khaled remains at large. Without assistance and reliable information from States, persons or other entities in a position to assist, it will be difficult to ensure his surrender to the Court. Without arrests, both the cause of international criminal justice in Libya and the very raison d'être of resolution 1970 (2011) will be undermined.

Cooperation remains a cornerstone of the Rome Statute legal framework and the effective functioning of the Court. My Office continues to engage with States and relevant organizations to exchange information, where possible, and assist national authorities carrying out investigations and prosecutions of crimes relating to Libya. That is in the spirit of complementarity as enshrined in the Rome Statute, specifically foreseen under paragraph 10, article 93, of the Statute. That approach is also in line with goal 9 of my Office's strategic plan for the period 2016-2018. In our parlance, strategic goal 9 seeks to develop with relevant judicial actors, and with full respect for their respective mandates, a coordinated investigative and prosecutorial strategy to close the impunity gap for Rome Statute and other serious crimes that foster further insecurity in Libya.

Recently, there has been a focus on crimes relating to human trafficking and abuses against migrants. That engagement allows for more collaborative efforts to gather and analyse information and helps identify which of the judicial actors is in the best position to investigate or prosecute alleged crimes. I take this opportunity before the Council to offer the support and expertise of my Office to States and organizations engaged in combating criminality in Libya and across its borders, where a symbiotic relationship in the fight against impunity can be fostered.

In addition to Libya, my Office continues to receive significant support from a number of other States, including Italy, the Netherlands, Tunisia and the United Kingdom, as well as regional and international organizations, such as INTERPOL, and many non-governmental organizations. Cooperation from Libya, State parties and non-State parties, as well as support from the Council, is vital to achieving progress in the cases before the Court and to the rapid progress of our ongoing investigations. The exemplary efforts of a number of States and organizations are worthy of emulation, with the end goal of reversing the trend of violence and impunity for serious crimes in Libya.

Even though my Office is making important progress, significant challenges remain. The volatile security situation in Libya is exacerbated by the ongoing armed conflict among militias in many parts of the country. As I highlighted in my fifteenth report, there continue to be extra-judicial killings, high civilian casualties and the systematic use of arbitrary detention of individuals, who are often subjected to serious violations of human rights. I am also concerned about the large numbers of migrants held in detention centres — whether run by the national authorities or by militias. Migrants are reportedly killed, abused or mistreated while in detention and in transit.

I also remain extremely concerned about the reports of slave auctions in Libya. The fact that such abhorrent acts could occur in the twenty-first century is an insult

to the memories of the victims of bondage of the past and an assault on the oneness of humankind and the historical progress made to eradicate such callous acts. I reiterate that my Office continues to be seized of the Libya situation, and our investigations are ongoing. I also benefit from this occasion to state that we expect we will be in a position to apply for warrants of arrest against other suspects in the near future.

Let me conclude by reiterating my appeal to the Council to demonstrate its commitment to the pursuit of justice in Libya by fulfilling its responsibility to facilitate the provision of financial support, as envisioned under article 115 (b) of the Rome Statute, as well as practical support to my Office. Such support is needed now more than ever as my Office forges ahead with the ever-challenging task of executing its mandate under the Rome Statue, as triggered by the Council in resolution 1970 (2011) approximately seven years ago.

That responsibility includes leveraging the Council's unique authority under international law to ensure the timely execution of the Court's decisions and, in particular, the execution of ICC arrest warrants. Seeking justice for those in Libya who are victims of crimes under the Rome Statute will remain a priority for my Office. We remain determined to fulfil the responsibility the Council entrusted to my Office, with the Rome Statute as our guide. My Office will do its part, but our work alone is not enough. We have a collective responsibility to cultivate a culture of accountability for Rome Statute crimes in Libya and to deter the commission of future crimes. The tragic consequences of a failure to do so are well known to us all. I count on the Council's support and I thank members for their time and attention.

The President: I thank Prosecutor Bensouda for her briefing.

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Temenov (Kazakhstan): We would like to thank the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, for her briefing.

We have taken note of the Prosecutor's fifteenth report and update on activities regarding the situation in Libya, which unfortunately demonstrate that significant challenges remain. According to the report, in the period from January to February, the United Nations Support Mission in Libya documented 248 civilian casualties, which represents a sharp increase as compared to previous months. A substantial number of those causalities were caused by improvised explosive devices, gunfire, remnants of war and shelling.

Ongoing political instability, a fragile security situation and a breakdown in the rule of law have resulted in the widespread abuse of human rights and violations of international humanitarian law. The current security and political situation in Libya continues to create a breeding ground for growing impunity for terrorist groups and armed militias. In that regard, Kazakhstan strongly condemns the 2 May attack on the Libyan High National Elections Commission in Tripoli, for which the Islamic State in Iraq and the Levant claimed responsibility. The perpetrators of such a heinous attack should be held accountable.

We are deeply alarmed about reports of alleged grave crimes relating to the abduction and subsequent execution of members of the military and civil society and political rivals or their family members. We are also concerned about the fact that thousands of migrants and refugees in Libya suffer abuses, trafficking and detention under inhuman conditions.

Lastly, Kazakhstan believes that an effective and credible Government is crucial in bolstering Libya's commitment and capability to restore and promote the rule of law, address impunity, protect basic human rights and provide justice for past violations. To that end, the international community's support to Libya remains vital to restoring stability and security throughout the country. Such stability and security require the unification and reconstruction of all national institutions, including political authorities, security and defence forces. The United Nations and its Support Mission in Libya have a key role to play in that process.

Mrs. Dickson (United Kingdom): I thank the Prosecutor of the International Criminal Court (ICC) for her very clear and concise fifteenth report and her briefing to the Security Council today. The work and focus of the International Criminal Court on Libya is extremely important in tackling impunity and making accountable those responsible for serious crimes of international concern. The Court's work has the full support of the United Kingdom.

The most recent report of the Prosecutor makes clear why the situation in Libya remains deeply troubling. The continued political divisions in Libya have benefited only certain armed groups intent on

criminality. Those groups have created an environment of lawlessness, intimidation and fear. That situation serves to underscore the urgent need to break the political deadlock and bring peace to Libya and its people. It is vital that all parties engage in good faith with the United Nations-led political process.

We must ensure that those who have committed and continue to commit human rights violations and abuses in Libya, including unlawful killings, do not evade justice for their crimes. The United Kingdom has strongly supported resolutions adopted by the Human Rights Council aimed at increasing accountability. We fully endorse the ICC's efforts in parallel. The United Kingdom also reiterates its call for all parties to cooperate with the ICC in relation to the arrest warrant for Mahmoud Al-Werfalli, and for all those committing acts amounting to war crimes and crimes against humanity to be investigated and held accountable, regardless of the side they support. The current cycle of violence and impunity must be stopped.

The recent mission of the Office of the Prosecutor to Libya was an important step in strengthening the focus of scrutiny on those who have acted with impunity. In that regard, we welcomed the cooperation of the United Nations Support Mission in Libya and the Office of the Prosecutor-General in Tripoli with the visiting mission. In the wake of reports of the appalling mistreatment and even enslavement of migrants, we also welcome the Office of the Prosecutor's work with Member States, national authorities and judiciaries, interested European institutions and the Libyan Prosecutor-General's Office to investigate and prosecute such crimes. At the same time, we appreciate the resource constraints under which the Prosecutor is operating in relation to those investigations.

We are grateful for the Prosecutor's update on the cases of Saif Al-Islam Al-Qadhafi, Abdullah Al-Senussi and Al-Tuhamy Mohamed Khaled. We fully support the Court's call for cooperation from the members of the Council, Libya and all States in connection with the individuals who remain at large and are accused of alleged war crimes and crimes against humanity committed in Libya in 2011. It is crucial that Member States and the relevant international organizations work to assist the Libyan authorities in their efforts to build the rule of law in Libya. Together with our international partners, we will continue to work with Libya to provide it with the support that it needs to meet the challenges it faces. At the same time, the United Kingdom, as a strong principled supporter of the ICC, will continue to provide its full support to the Prosecutor and her team.

Mr. Kuzmin (Russian Federation) (*spoke in Russian*): First and foremost, I would like to wish our colleagues a happy Victory Day, which marked the beginning of the foundation of our Organization 73 years ago.

Concerning the International Criminal Court (ICC) and Libya, the situation in Libya remains complex. We believe that the path to national reconciliation and restoring the country's unity and State institutions lies in a broad intra-Libyan dialogue. Russia supports the efforts to advance the political process, which should be coordinated under the auspices of the United Nations. We hope that the action plan for Libya developed through the United Nations will be implemented effectively.

We take note of the fifteenth report of the Prosecutor of the International Criminal Court on the investigations of the situation in Libya, as well as the fact that during the reporting period, members of the Office of the Prosecutor of the ICC visited Libya for the first time in five years to conduct investigative activities. That is in fact the most noteworthy event mentioned in the report. There have otherwise been no substantive changes, unfortunately. The work of the ICC remains selective in its approach. Every arrest warrant issued has been directed at people from Muammar Al-Qaddafi's circle. Not one case dealing with the alleged crimes committed by insurgents and terrorists has been initiated so far. The ICC long ago distanced itself from investigating issues related to civilian casualties resulting from the NATO strikes. The Court continues to worry about the army's operations in the Derna area, but for some reason the Prosecutor has said nothing about the mujahidin, who for all practical purposes are holding the local population hostage.

The report once again draws attention to the catastrophic situation of refugees and migrants in Libya. There can be no question that more attention should be paid to combating the criminal networks that are linked to the illegal migration through Libya. We completely agree, but that situation should be approached comprehensively, including by identifying the purchasers of human commodities in the countries of destination that receive migrants.

We feel that once again the report attempts to present the Libyan dossier as a kind of burden imposed on the Court by the Security Council. We believe that

with an attitude like that, using the services of the Court is pointless. Our delegation is determined to do whatever is necessary to enable the members of the Council to avoid repeating the unsuccessful experiment of referring Security Council issues to the ICC.

Mr. Meza-Cuadra (Peru) (*spoke in Spanish*): We are grateful for the convening of this meeting and the briefing by Prosecutor Fatou Bensouda.

Peru notes with deep concern the continued violence and serious human rights situation in Libya, which have led to a serious humanitarian crisis, with more than 150,000 internally displaced persons and numerous accusations of atrocity crimes. We believe that, in line with its primary responsibility for maintaining international peace and security, the Security Council should refer to the International Criminal Court cases in which access to justice and accountability must be ensured, and we therefore support the work that the Court is doing in Libya. It is clearly complex and requires the full cooperation of all States, including the local authorities. Accordingly, while we acknowledge the efforts of the Libyan Prosecutor-General's Office, we should remind the Libyan authorities of their duty to execute arrest warrants issued by the Court.

We also believe that, while the International Criminal Court plays a fundamental role in ensuring that the most serious crimes do not go unpunished, its jurisdiction is complementary to the responsibility of every State to protect its people. That includes the obligation to investigate, prosecute and punish those responsible for atrocity crimes. In that regard, in addition to constituting a legal obligation, the authorities' cooperation with the Court must be seen as an opportunity to strengthen justice and the rule of law in domestic and international areas. That means fostering greater confidence in legal institutions and effective deterrence. Confidence in the justice system and predictability in its response to atrocity crimes is of particular relevance for a country like Libya, which is affected by conflict and terrorism committed by organizations — such as Da'esh and its affiliates and Boko Haram — that control parts of Libya and are allegedly involved in trafficking migrants.

Peru believes that it is essential to advance implementation of the United Nations action plan on an inclusive political process in Libya as quickly as possible. In the immediate future, that means ending the current cycle of violence and working on concrete measures to effectively protect the people, especially the civilian population, as well as confronting terrorism in all its forms and manifestations. We believe that such action must be predicated on discussions between the High Council of State and the House of Representatives, as well as through the good offices of the United Nations Support Mission in Libya throughout the process. Good faith, a spirit of mutual understanding and respect for international law and international humanitarian law must prevail among the parties.

In conclusion, I would like to highlight the work of the new Special Representative of the Secretary-General, Mr. Ghassan Salamé, as well as that of the United Nations Support Mission in Libya, whose support in March enabled the Office of the Prosecutor of the International Criminal Court to make its first visit to the country since 2012.

Mr. Simonoff (United States of America): I thank the Prosecutor of the International Criminal Court (ICC) for her briefing on her Office's work pursuant to resolution 1970 (2011) to seek accountability for atrocity crimes committed in Libya.

As we have said many times before in these briefings, those responsible for crimes committed during the 2011 revolution must be held to account. The Security Council unanimously referred the situation in Libya to the International Criminal Court to guarantee that the atrocities of the Al-Qadhafi regime would not go unpunished and that those victims would receive a measure of justice.

Today we reiterate our demand for accountability. We have called for Saif Al-Islam Al-Qadhafi to be brought to The Hague to stand trial for crimes against humanity for the murder and persecution of hundreds of civilians in 2011. We note that the International Criminal Court has also issued an arrest warrant for Al-Tuhamy Mohamed Khaled, the former head of Libya's notorious Internal Security Agency, in connection with the alleged torture and other serious crimes against individuals perceived to be enemies of the Al-Qadhafi regime.

Turning to more recent events, the United States continues to have grave concerns about the human rights situation in Libya. We have noted the International Criminal Court's arrest warrant for Major Al-Werfalli, who has been accused of unlawful killings. We remain deeply concerned by those allegations and reiterate our calls for the relevant Libyan authorities to ensure that

Al-Werfalli is held accountable for alleged crimes, in accordance with international law.

We are also horrified by the appalling reports of human trafficking in an alleged slave market in Libya. We commend the Government of National Accord's condemnation of slavery and welcome its ongoing investigation into reports of abuse of migrants. We urge the Government of National Accord to accelerate its efforts to hold those responsible to account and cooperate closely with the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to assist migrants and improve their living conditions.

The United States supports ongoing efforts to identify and designate individuals and entities that threaten the peace, stability or security of Libya, including through the commission of serious human rights abuses and violations. In particular, designations of those who engage in migrant smuggling or human trafficking are an important part of the international effort to promote accountability in Libya. To counter those and other abuses in the long-term, Libya must first overcome its political impasse in order to achieve a stable, unified Government capable of ending impunity, defeating terrorism, safeguarding the rule of law and providing security and prosperity for all Libyans.

To that end, we continue to support United Nations Special Representative Salamé as he works to advance political reconciliation and help Libya prepare for free and fair elections by the end of the year that are credible and conducted in a peaceful manner. We look forward to the continued collaboration with our international partners, including through the work and attention of the Security Council and the Human Rights Council, to achieve a peaceful and prosperous Libya.

In conclusion, I would like to reiterate the United States concerns regarding the ICC's activity with respect to the situation in Afghanistan, including our long-standing and continuing principled objection to any ICC investigation or other activity concerning United States personnel absent United States consent or a Security Council referral.

Mr. Alfassam (Kuwait) (*spoke in Arabic*): At the outset, I would like to extend my appreciation to the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, for her extensive briefing on the fifteenth report of the Prosecutor of the ICC to the Security Council in accordance with resolution 1970 (2011). The State of Kuwait welcomes the efforts of the Court to ensure justice and prevent impunity, in accordance with international law, especially in the light of the difficult situation in Libya. We commend the progress achieved by of the Office of the Prosecutor in confronting the security challenges that impede its endeavours to carry out its responsibilities of monitoring and bringing to justice the perpetrators of crimes, especially given the proliferation of weapons and militias that have come to harm the Libyan people.

In that regard, we share Ms. Bensouda's concern about the recent escalation of armed conflicts in Tripoli, Benghazi, Sabha and Derna. We also express our concern over the information contained in the Prosecutor's report with respect to the perpetration of crimes such as kidnapping and executing military and civilian personnel and members of the competing political factions, targeting the mayor of Misrata, Mr. Mohamed Eshtewi, and committing crimes against migrants. Those are all tantamount to flagrant violations of international humanitarian law. We therefore renew our strongest condemnation of such crimes.

In that regard, the greatest responsibility falls to the Libyan authorities to uphold justice throughout all Libyan territories by exercising their jurisdiction. The ICC should take into the account the national criminal jurisdiction in Libya for cases being considered by Libyan courts in the context of realizing the desired integration between the national judiciary and the ICC, which is a complement to the national criminal jurisdiction, in accordance with article 1 of the Rome Statute.

To that end, we commend the important cooperation that the Libyan authorities provide to the Court and Prosecutor in line with the requirements of resolution 2174 (2014). Furthermore, the State of the Kuwait underscores the importance of the international community's continued support to the Libyan Government with a view to developing a comprehensive strategy to address the heinous crimes committed in Libya and providing the necessary assistance to the Libyan authorities for them to establish the rule of law, administer justice and implement the relevant Security Council resolutions.

While the State of Kuwait recognizes the magnitude of the security challenges facing Libya, which in turn undermine the role of the ICC experts in conducting their investigations, we welcome the field visit by a team

from the Prosecutor's Office to Libya in March. It took place after a hiatus that lasted more than five years. We also value the support provided by the relevant Libyan authorities and the United Nations Support Mission in Libya. Such cooperation will undoubtedly further the effectiveness of the investigations conducted by the Office of the Prosecutor in the discharge of its mandate.

In conclusion, I would like to reiterate our appreciation for the important work being done by the Prosecutor, Ms. Fatou Bensouda, and her Office in carrying out her mandate to investigate the serious crimes committed in Libya. We emphasize the need for the Council to provide its continued support to those efforts.

Mr. Ndong Mba (Equatorial Guinea) (*spoke in Spanish*): Allow me, at the outset, to express my delegation's gratitude to Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, for her efforts and courage in the discharge of her duties, as well as for the outstanding briefing she delivered to the Security Council on the fifteenth report on the situation in Libya.

The Republic of Equatorial Guinea strongly condemns the terrorist attack on Libya's High National Election Commission in Tripoli on 2 May, in which approximately 15 people died and several others were injured, including staff members of the Commission and police officers. In that regard, we wish to convey our most sincere condolences to the Libyan people and the families of the victims.

It is clear that, despite the enormous efforts by the United Nations Support Mission in Libya (UNSMIL) and of some local stakeholders working for reconciliation, the security situation in Libya remains serious and unstable. That leads to continued armed clashes among the various factions involved in the conflict, adding to a climate of impunity, extrajudicial executions, widespread arbitrary detentions, trafficking in persons and sale of migrants and ongoing violations of human rights and international humanitarian law. All of that raises grave concerns due to the threat posed to peace and security in the country and beyond its borders. We therefore call on the international community to cooperate in good faith with the International Criminal Court and to redouble efforts to fight this epidemic of crime. We also strongly call on the various factions in the conflict to immediately put an end to this grave situation.

The Republic of Equatorial Guinea expresses its deep concern about the situation prevailing in Libya, as was just detailed and illustrated in Ms. Bensouda's briefing. I should point out that the situation in Libya has serious implications, not only for the entire Sahelo-Saharan region but for other regions of Africa, with the consequent growing wave of terrorist activity and attempts at destabilization. It is therefore obvious that, if a drastic solution is not found to the situation in Libya, the efforts deployed to respond to terrorist actions in western and central African countries will all be in vain, since the root causes of the evils affecting the countries of these regions can be found in Libya due to the support provided to terrorist groups like Boko Haram and other Libyan criminal gangs. That is why my Government strongly calls on the international community to resolutely support Ms. Bensouda in putting an end to the reigning impunity in Libya. We also once again strongly condemn all the criminal activities taking place in this brotherly country.

In conclusion, we welcome and greatly appreciate the work of the Court through the Prosecutor and her Office despite the difficulties she faces. We thank her for the efforts to re-establish justice in Libya. We also express our appreciation to UNSMIL for the major support and cooperation it provides to Ms. Bensouda. That appreciation is extended to the Office of the Libyan Prosecutor General for having facilitated her mission in March.

Ms. Guadey (Ethiopia): We thank Ms. Bensouda for her written report in accordance with resolution 1970 (2011), as well as for her briefing.

The continued violation of human rights committed in Libya by all parties remains a source of concern. The cycle of violence has resulted in the death and the injury of civilians, as well as the destruction of civilian facilities. Abduction, torture, killing and arbitrary detention continue unabated and with a sense of impunity. In addition, illegal armed groups and human trafficking persist, while criminal gangs continue to commit crimes, exploiting and further exacerbating the general climate of lawlessness, as well as the weakness of judicial institutions. Terrorist groups, including elements of the Islamic State in Iraq and the Sham, continue their attacks. This climate of violence and insecurity is hampering the ability of victims to seek protection and justice. We condemn any violence against civilians or civilian facilities.

including the recent terrorist attack on the High National Elections Commission.

We take this opportunity to express our solidarity and sympathy with the people and the Government of Libya. Its civilians, particularly the most vulnerable groups, such as women, children, migrants and refugees, bear the brunt of the violence and suffer enormously. The agony of Libyans must stop. The sense of continued impunity should end. It is important that the international community work together to support Libyans to end the current state of fear and uncertainty. All actors who commit human rights violations and attacks must be held accountable and brought to justice. We also believe that it is vital to end the prevailing sense of impunity through appropriate mechanisms that respect the sovereignty and the territorial integrity of Libya. All Libyan parties should be reminded that the protection of civilians and civilian infrastructure is their responsibility.

While it is the primary responsibility of the Libyans themselves to take all appropriate action to restore peace and security, the international community has an important role to play in supporting their endeavours. In that regard, it is indispensable to continue capacity-building and technical assistance for the State institutions of Libya, particularly judiciary and law enforcement bodies, with the objective of ensuring the rule of law. The international community should also provide comprehensive support anchored in a long-term strategy for the building of State institutions that could foster an environment of peace, security and stability.

It is our conviction that the continued and widespread violation of human rights cannot be stopped sustainably until all Libyan political actors find a lasting political solution for the prolonged transition. In that regard, we reiterate our support for continued diplomatic efforts by the Special Representative and Head of the United Nations Support Mission in Libya, Mr. Ghassan Salamé. We believe it is critical to intensify coordinated and complimentary international efforts to fully implement the United Nations action plan. The reconciliation process should also be further promoted to reinforce the political process, as well as to address community grievances in a manner that could rebuild the social fabric and trust.

Allow me to conclude by underlining that only a comprehensive political process can address the multifaceted crisis in Libya and ensure the rule of law. In that regard, we encourage all Libyans to continue to work together in a spirit of compromise and to continue to engage in the conclusive political process set out in the action plan to bring about concrete results that could facilitate its full implementation. The international community, particularly the Council, should also send a strong and unified message to pressure all parties to stop violence and engage in an inclusive and sustained political dialogue.

Mrs. Gueguen (France) (*spoke in French*): I thank Ms. Bensouda, Prosecutor of the International Criminal Court (ICC), for her report and her briefing.

As we commemorate the twentieth anniversary of the Rome Statute this year, France wishes to acknowledge the contribution of the International Criminal Court to the repression of the most serious crimes. It is our responsibility as members of the Security Council committed to this imperative of justice to support the Court, which, although it has not yet reached its full potential, has made an undeniable contribution to the maintenance of peace and security. That is the case in Libya, and I would like to reaffirm France's support for the Prosecutor concerning the implementation of resolution 1970 (2011), which referred the situation in Libya to the International Criminal Court.

France notes with satisfaction the efforts of the Office of the Prosecutor to carry out its investigations in difficult circumstances. The mission led to Tripoli in March with the help of the United Nations Support Mission in Libya (UNSMIL), a first for the Office of the Prosecutor in five years, constitutes progress, as Ms. Bensouda highlighted earlier this morning.

Given the scale of the challenges facing the Libyan people, the support of the Security Council to UNSMIL is essential. We welcome the personal mobilization of the Secretary-General and the valuable contribution of his Special Representative, Mr. Ghassan Salamé. France fully supports him.

Today it is essential that all Libyan actors truly commit to implementing the Special Representative's action plan. As the Council has repeatedly pointed out, the Skhirat Agreement is the only valid and legitimate framework throughout the transition. Following the initial positive steps in the political process, such as the consultations between the two chambers, which launched a new momentum for dialogue, we must now go further. All actors must remain committed to the national conference and the general elections in

2018. Holding a credible, transparent and democratic electoral process will be a key step in the transition.

As we know, there are still many security, legal and political obstacles. The situation on the ground remains very volatile, as demonstated by last week's cowardly attack, claimed by the Islamic State in Iraq and the Levant, against the headquarters of the Libyan High National Electoral Commission in Tripoli, which we strongly condemned. That is why building a unified national security architecture under civilian authority remains a priority. The status quo is unacceptable. The Libyan people have demonstrated their desire to return to democratic legitimacy in Libya by registering in large numbers on the electoral rolls since the beginning of the year.

Beyond those general observations, I would like to make three more specific remarks on the work of the Office of the Prosecutor.

First, I wish to once again recall that the ongoing investigations by the Office require the complete and full cooperation of all stakeholders. Cooperation with the Court by the Libyan authorities is essential for it to fully carry out its work in accordance with the mandate entrusted to it by the Rome Statute and by the Security Council. It is essential to strengthen cooperation among all the States concerned — whether they are parties to the Rome Statute of the International Criminal Court or not — in order to provide the long-term support that the Office of the Prosecutor needs in order to complete its work. In that regard, the cooperation of the Tunisian, Netherlands, Italian and British authorities and INTERPOL is particularly welcome. The contribution of non-governmental organizations is also valuable and encouraged.

Like Ms. Bensouda, I also wish to express my delegation's appreciation for the support and cooperation provided by UNSMIL and the Libyan General Prosecutor to the Office of the Prosecutor. France particularly welcomes the direct dialogue initiated last February between the Special Representative and the Prosecutor on the margins of the Munich Security Conference.

Secondly, with regard to the sections of the report on the ongoing investigations, France regrets the failure to execute to date the arrest warrant issued by the Court against Mr. Al-Werfalli on 15 August 2017. We express our deep concern over reports that Mr. Al-Werfalli not only is still at large but continues to serve as head of the Libyan National Army's Al-Saiqa Brigade and has been involved in other killings since the warrant for his arrest was issued.

France once again urges the Libyan National Army to transfer Mr. Al-Werfalli to the Libyan authorities as soon as possible so that they can hand him over to the ICC in accordance with their obligations to cooperate with the Court, as provided for in resolution 1970 (2011). That would be an important sign of impartial justice in Libya. France also reiterates its calls for cooperation with the ICC so that Saif Al-Islam Al-Qadhafi and Al-Tuhamy Mohamed Khaled are handed over to the Court without delay.

Thirdly, France welcomes the continued attention of the Office of the Prosecutor to crimes related to human trafficking and the smuggling of migrants, which are a direct threat to peace and stability in Libya. In particular, we note with satisfaction the cooperation begun with the Libyan General Prosecutor to crack down on crimes against migrants. It is encouraging to read in the report that the Libyan General Prosecutor has issued a significant number of arrest warrants for such crimes. The Security Council has repeatedly recalled the importance of perpetrators of such acts being prosecuted and brought to account. The Council must also shoulder its responsibilities by imposing individual sanctions against those who engage in human trafficking and the smuggling of migrants under the existing United Nations sanctions regime. France will continue to mobilize its partners in that regard. France will also continue to act against the smuggling networks and their economic model in Libya and the region as part of the joint statement of 28 August 2017, entitled "Addressing the Challenge of Migration and Asylum".

The situation in Libya once again highlights the vicious cycle of impunity and instability. That reality compels us to provide answers to the challenges facing us in Libya. Those challenges cannot be overcome without the effective assistance of the Court and the support of the Security Council.

Ms. Schoulgin-Nyoni (Sweden): I would like to begin by thanking the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, for her, as always, comprehensive briefing to the Security Council. Let me also take this opportunity to reiterate, as stated by our Foreign Minister, Ms. Margot Wallström, our condemnation of the attack on 2 May against the Libyan High National Electoral Commission. We repeat our

firm support for the United Nations-facilitated political process in Libya and for the efforts of the Special Representative of the Secretary-General, Mr. Salamé.

There have been positive developments on the issue since the previous briefing by the Prosecutor in November 2017 (see S/PV.8091). That includes a visit by the Office of the Prosecutor to Libya in March. We appreciate the support provided to the Office of the Prosecutor by the United Nations Support Mission in Libya and Special Representative Salamé, as well as the Libyan General Prosecutor's Office. The ongoing cooperation to support further investigative activities in Libya is essential and should be continued.

We deeply regret that all arrest warrants issued by the ICC in relation to Libya remain outstanding and that none of the suspects have been handed over to the Court since our previous briefing six months ago. We note that INTERPOL has now issued a red notice regarding Mahmoud Al-Werfalli. We support the Court's call on Libya to cooperate with the Office of the Prosecutor and to immediately arrest and hand over the suspects. It is imperative that further crimes be prevented. Ensuring accountability for perpetrators would underscore that impunity for crimes in Libya will not be tolerated.

Cooperation with the Libyan General Prosecutor's Office, the Libyan authorities, States parties to the Rome Statute, States Members of the United Nations and all other relevant entities is crucial in order to assist the Office of the Prosecutor in fulfilling its mandate. Libya and all States parties are under an obligation to cooperate with the Court and the Office of the Prosecutor.

The efforts that have been made by the Prosecutor to integrate a gender perspective throughout the Office of the Prosecutor's investigations and reports is welcome. We note that the gender perspective was not included in the most recent report. We wish to stress the importance of it being considered in future reports.

We welcome the Office's efforts to investigate the ongoing situations and cases and to monitor closely the ongoing situation throughout Libya. That work is crucial and necessary, since the situation remains volatile and insecure. Reports of violations of international humanitarian law and violations and abuses of human rights must be investigated and those responsible must be brought to justice. We remain concerned about the continued reports of grave human rights violations, including with regard to the situation of migrants. As the Prosecutor notes, there are continuing worrying reports of slave auctions in Libya. Those reports must be fully investigated. We support the efforts of the Libyan General-Prosecutor's Office to combat impunity for crimes related to migrants, as well as the active engagement, in the spirit of complementarity, of the Office of the Prosecutor with the national authorities in relation to crimes committed. We also support the Office of the United Nations High Commissioner for Human Rights.

In order to successfully carry out its functions, including those asked of it by the Security Council, the Office of the Prosecutor needs our full support — both political and financial. In that regard, we repeat our call for sufficient financial funding for the Office's work on the Libya situation.

In conclusion, we reiterate our sincere appreciation for the valuable work and tireless efforts of the Court and its officials in all organs. The work of the Office of the Prosecutor continues to make a significant contribution to accountability for the perpetrators and to justice for the victims of serious crimes of international concern.

Ms. Córdova Soria (Plurinational State of Bolivia) (*spoke in Spanish*) My delegation welcomes the report presented by the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, and we firmly support the important work that she and her team are doing. We also greatly appreciate the work that the International Criminal Court has been doing since 2011 pursuant to the referral in resolution 1970 (2011). We reiterate that its effective implementation depends on the full cooperation of all actors on Libyan territory and the international community in general. In that regard, we call on the Libyan Government of National Accord, the parties involved, the countries of the region and regional organizations to make every effort to cooperate so that the Office of the Prosecutor can carry out its investigative work. We also reiterate that, in order to avoid impunity, all States, whether or not they are parties to the Rome Statute, have primary responsibility for taking action and helping to facilitate the Court's investigations.

We take due note of the report and the activities of the Office of the Prosecutor during the reporting period. We are extremely concerned about the incidents and irregularities surrounding the case of Mahmoud Al-Werfalli, who is the subject of an arrest warrant issued by the International Criminal Court on

15 August 2017, and who, according to reports from the Libyan National Army, was arrested and placed under investigation by a military prosecutor. However, the Prosecutor's report indicates that Mr. Al-Werfalli has continued to serve as a commander in the Libyan National Army's Al-Saiqa Brigade and was involved in new summary executions at the beginning of this year in Benghazi. We also continue to be disturbed by reports of extrajudicial executions, murders, arbitrary detentions and armed clashes during the reporting period, especially as more than 240 people were killed in the first two months of this year in crossfire and more than 3,600 displaced from areas where fighting has intensified.

We again note with concern repeated reports of sexual violence and harassment used as a tactic of warfare between the parties and against innocent civilians, as well as reports of violations of migrants' rights. Investigations by the Office of the Prosecutor can not only determine who is responsible but in the case of crimes against humanity can also invoke the jurisdiction of the Court to try them. The attack allegedly perpetrated by the Islamic State in Iraq and the Levant on the Libyan High Commission for National Elections on 2 May is a clear signal that the investigations by the Prosecutor's Office should be expanded to include such criminal acts. Considering all of this, we strongly urge the parties involved to seriously commit to the work of the Court and cooperate with it so as to prevent continued impunity. We reiterate that all incidents contrary to international criminal law are subject to investigation in order to identify and punish those responsible.

My delegation would like to highlight the collaboration and assistance provided by the United Nations Support Mission in Libya to the Office of the Prosecutor, which after five years has now been able to conduct on-site investigations, and we take this opportunity to encourage the Mission to actively continue that cooperation. We also reaffirm that the International Criminal Court is a global undertaking, in the interest of all States, and its mission is intrinsic to strengthening international criminal justice, peace and security, respect for human rights and guarantees of due process.

Accordingly, as we celebrate the twentieth anniversary of the Rome Statute this year, we should take this opportunity to reflect on the Court's effectiveness and whether the model, as conceived, meets expectations of cooperation and universality. As we have said before, the Security Council and the membership of the United Nations in general should cover the costs incurred by the International Criminal Court in conducting the investigations and prosecutions within its jurisdiction, especially since several States, including permanent members of the Security Council, are not party to the Statute and do not contribute to those investigations.

Finally, my delegation reiterates its concern about the public complaints about the performance of former authorities of the Office of the Prosecutor of the International Criminal Court, which are specifically related to the ongoing investigations in Libya. With that in mind, and in view of the integrity and transparency that international tribunals must have, we believe that it is time that the Office of the Prosecutor gave a public account of the scope and reliability of those statements in its next report, since the integrity of the Court is essential to ensuring its credibility and effectiveness before the international community.

Mr. Djedje (Côte d'Ivoire) (*spoke in French*): My delegation would like to thank the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, for her biannual briefing on the Court's activity on cases relating to the situation in Libya.

The difficulties encountered by the Prosecutor in executing various arrest warrants show the complexity of the situation in Libya, as well as the need for continued support from the international community for the ICC's efforts to combat impunity following the events in 2011, the negative effects of which continue to destabilize the entire region. For its part, Côte d'Ivoire, as a State party to the Rome Statute, reaffirms its full support for the efforts of the International Criminal Court to promote international justice and combat impunity both in Libya and throughout the world.

Seven years after the official end of the Libyan conflict, the proliferation of armed groups throughout the country has led to a situation in which abuses and other serious human rights violations have become recurrent. These armed groups, which continue to be the main perpetrators of the violations, act with total impunity, including for the most serious crimes, such as abductions, torture, extrajudicial executions and the sale of slaves in Libyan markets, which constitutes a crime against humanity. In that regard, my delegation welcomes the Prosecutor's decision to consider the

possibility of extending the ICC's jurisdiction to crimes committed against migrants, and we continue to support the inclusion of persons or entities engaged in such trade on the sanctions list of the Committee established pursuant to resolution 1970 (2011) on Libya.

In view of the alarming situation, the international community should support the efforts of the Libyan Government to disarm armed groups and re-establish State authority throughout the country in order to restore peace and stability to Libya. Strengthening Libyan institutions' capacities should be a major priority so that they can honour their commitments in terms of promoting and protecting human rights and, ultimately, as part of the fight against impunity, establish a system of accountability for perpetrators of serious violations of those rights. In that regard, Côte d'Ivoire reiterates its full support for Special Representative Ghassan Salamé's action plan for Libya, with the aim of advancing the national reconciliation process and laying the foundations for lasting stability and peace through an inclusive democratic process. We also welcome the broad public consultations conducted by the United Nations Support Mission in Libya throughout the Libyan territory to enable the people to become involved in the peace and reconciliation process.

My delegation urges all actors in Libya to overcome their differences and to commit resolutely to a credible political process that will lead the country to free, transparent and democratic elections, which are a prerequisite for the establishment of the rule of law in the country.

Despite the extremely precarious security situation, as demonstrated by the most recent suicide attack on the headquarters of the High National Elections Commission on 2 May, which killed approximately 10 people and injured several others, my country encourages the Prosecutor to continue her efforts to successfully complete the various investigations under way in Libya. In that respect, my country welcomes the cooperation of the Libyan authorities, which facilitated the Prosecutor's Office first mission to Libyan territory. This cooperation is important in order to follow through on the various arrest warrants issued by the Court and thereby put an end to the long period of impunity in Libya by enabling the Court to fulfil the mandate conferred on it by the Security Council.

In conclusion, my country wishes to reiterate its encouragement to the Office of the Prosecutor with respect to the work that it is carrying out despite the many difficulties that the Prosecutor has just described to us. We urge the international community to provide the Prosecutor all the support necessary to the success of her mission.

Ms. Gregoire Van Haaren (Netherlands): On behalf of the Kingdom of the Netherlands, I would like to express our sincere thanks to the Prosecutor, Ms. Fatou Bensouda, for her fifteenth report and comprehensive briefing on the situation in Libya.

The Kingdom of the Netherlands has long been a firm supporter of the International Criminal Court (ICC). The ICC is a key institution when it comes to accountability for the perpetrators of the most serious crimes of international concern, and we have found the Prosecutor to be a key ally in this endeavour. I would like to echo the words that she just spoke — that justice, peace and stability form a trinity — and to thank her and her Office for their unwavering commitment to bringing justice to the victims of atrocities in Libya, and also, as a part of this trinity, to working towards the achievement of peace and stability in the country.

Allow me to focus on three important aspects: the security and human rights situation in Libya; cooperation with the Court; and combating impunity.

First, we are deeply worried by the volatile security and human rights situation in Libya. Civilians continue to be the main victims of the ongoing conflict. The situation of internally displaced persons and migrants, especially those held in detention centres, gives particular cause for concern.

We welcome the work of the Prosecutor in relation to alleged crimes against migrants. We welcome in particular her collaborative efforts with States and organizations, in conformity with strategic goal 9, as well as her efforts to determine whether these crimes fall within the jurisdiction of the Court.

The Kingdom of the Netherlands remains ready to employ all means available to combat abuses against migrants and stabilize Libya, including through targeted sanctions, which can complement and strengthen criminal prosecution.

Secondly, on cooperation with the Court, for the Office of the Prosecutor to fulfil its mandate, the full cooperation and assistance of the Libyan authorities is essential. In this respect, we would like to commend the successful cooperation between the Office of the

Prosecutor and the Libyan Prosecutor-General's Office, which has resulted in the Office's first mission to Libya in more than five years. However, greater cooperation is needed from all States and the Council, especially in relation to the surrender of suspects to the Court.

In particular, like others, we regret that Mr. Al-Werfalli, commander of the Libyan National Army's Al-Saiqa Brigade, and other suspects have not been arrested and brought to The Hague, especially considering that Mr. Al-Werfalli has allegedly committed more murders since the last report on the situation in Libya (see S/PV.8091). This shows that lack of accountability encourages the repetition of crimes, as perpetrators feel free to commit further offences without fear of punishment. We find it alarming that Mr. Al-Werfalli was reportedly released after just one day in custody. That he remains at large shows disregard for the Council and for the international community as a whole.

We urge all relevant entities to fully cooperate with the Court to ensure the immediate arrest and swift surrender of all those against whom an arrest warrant has been issued. Moreover, it is essential that the Council abide by its financial obligations and facilitate adequate United Nations financial funding for the Office's work in Libya.

Thirdly, on combating impunity, this year marks the twentieth anniversary of the Rome Statute. Twenty years ago, we were full of hope and confidence that we had turned a new page, that impunity would be targeted successfully and that this international approach of accountability would set a universal norm. Today, however, the picture is more grim. There are still many situations outside the Court's jurisdiction, with Syria being the most visible, and the Council is all too often paralysed and does not take adequate action.

We appreciate the efforts of the Prosecutor to make full use of the options she has at her disposal, including requests to the ICC for the exercise of jurisdiction over the alleged deportation of people to neighbouring countries.

If the Court has the ability to scrutinize situations all around the world, justice can be brought to those who are in need of it. We therefore urge all States to become State parties to the Rome Statute. Until that is the case, the Security Council needs to take responsibility for referring situations to the Court.

The Kingdom of the Netherlands stands firmly by the Prosecutor's side in her fight against impunity. Together, if all of us are fully committed to this common goal, we can make accountability happen for Libya and all around the world.

Mr. Zhang Dianbin (China) (*spoke in Chinese*): I wish to thank Ms. Bensouda for her briefing.

China is deeply concerned at the developments in Libya and supports all efforts conducive to stabilizing the situation there, promoting a political settlement of the Libyan issue and combating terrorism. We support the United Nations in its efforts to continue to advance the relevant plan of action and increase the use of its good offices. China firmly supports the Libyan people in the maintenance of national accord and unity. We hope that the Libyan parties will remain committed to the political settlement process, which is Libyan-led and -owned, engage in inclusive dialogue so as to move towards one another, resolve their differences and strengthen mutual trust through negotiations so as to find a settlement that accommodates the interests of all parties.

The advancement of national reconciliation, the restoration of State governance and the early realization of peace, stability and development in Libya constitute a prerequisite and the foundation for the realization of justice in Libya. The international community must continue to respect the unity, sovereignty and territorial integrity of Libya and continue to provide various forms of support and assistance to the country.

China's position regarding the International Criminal Court remains unchanged.

The President: I shall now make a statement in my capacity as the representative of Poland.

I wish to thank Ms. Fatou Bensouda for presenting the fifteenth report of the Prosecutor of the International Criminal Court (ICC). The conclusion of the report highlights the need for States, non-State actors, international organizations and other stakeholders to work with the ICC and help it to exercise its mandate. Poland appreciates all such efforts, including the ICC's cooperation with the United Nations Support Mission in Libya (UNSMIL) and Libya's Prosecutor-General, which, among other things, has enabled the Office of the Prosecutor to send its first mission to Libya in five years. We want to express our deep appreciation to the Office's staff, who took on this task despite its

inherent risks, and we hope that more such missions will be possible and carried out successfully. Poland also welcomes Prosecutor Bensouda's declaration that the investigations being conducted by the Office of the Prosecutor are making progress and could potentially lead to new arrest warrants being issued. We hope this will help deter further crimes. We would also like to commend some of UNSMIL's other actions, as described in the Secretary-General's report of 12 February (S/2018/140). We consider them an important contribution to improving the situation in Libya. Special thanks are due to Special Representative Ghassan Salamé for his involvement on the ground. We encourage all Libyan parties to support the United Nations-backed political process and work for a more peaceful situation in Libya.

It is also thanks to initiatives undertaken under the auspices of the United Nations that more than 350,000 people have been able to return to Libya, with the vast majority of them able to reclaim their homes. However, more than 150,000 people are still internally displaced, mainly due to the threats posed by armed conflict or the presence of military groups. We are also very concerned about the ordeals that detainees and migrants in Libya have suffered. As of today, there are more than 700,000 migrants on Libyan territory, of whom 52,000 have applied for asylum. It is estimated that more than 4,000 are being kept in detention centres, and the reports on their condition are shocking. Migrants are victims of violence, including sexual harassment; they are tortured; they are exploited as a labour force and some have even been killed. We join the appeal for an end to all atrocities in Libya, particularly against migrants and detainees, and for respect for human rights.

Poland welcomes all efforts aimed at improving the situation in Libya and bringing about peace and the rule of law, including the efforts of the Office of the Prosecutor, as well as those of other international and local actors. To that end, we remain fully committed to cooperating with the Court on bringing to justice the individuals suspected of committing international crimes mentioned in the report, including the necessity of transferring them to the Court, and we appeal to other States to do the same. It is up to the International Criminal Court, the entire international community, including the Security Council, and Libya's stakeholders to hold to account those suspected of committing international crimes there. The success of that endeavour will have a bearing on the country's future. Let us do everything we can to contribute to it.

I now resume my functions as President of the Security Council.

I give the floor to the representative of Libya.

Mr. Elmajerbi (Libya) (*spoke in Arabic*): I would first like to congratulate you, Madam President, on your assumption of the presidency of the Security Council for this month. I would also like to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court (ICC), for her briefing.

For Libya's Government of National Accord, administering justice and preventing impunity are central to national reconciliation, which requires support from the United Nations and from the countries that are our friends and brothers. We also affirm that the ICC is an important and essential partner for us in achieving justice during this period. The memorandum of understanding concluded in 2013 between the Prosecutor of the ICC and Libya's Prosecutor-General solidified the partnership and complementarity between Libyan justice and the ICC on cooperation with the Prosecutor-General's Office on a number of requests for support in its investigations, as the Prosecutor mentions in paragraph 30 of her report.

We are aware of the delays that have occurred with regard to prosecuting the accused, but they do not mean that our national justice is unwilling to investigate and punish the perpetrators of crimes. They have more to do with the security situation in Libya, which has prevented the Office of the Prosecutor of the ICC from conducting investigations on Libyan territory. In that regard, we want to emphasize that while our national judiciary has honoured its commitment to bringing justice and strengthening the rule of law, it is in urgent need of assistance from the international community in order to help the Libyan authorities emerge from the country's security crisis and enable them to ensure the success of the political dialogue. In order to achieve that, we will have to intensify our efforts to unify and restore our security institutions and rebuild our State institutions, so as to enable them to strengthen peace and security, deal with the factors that lead to potential violations and confiscate the tools used to commit crimes, particularly firearms. That will undoubtedly help to strengthen the capacity of Libyan justice to ensure the prosecution of those responsible for crimes and to prevent additional

crimes, particularly considering the proliferation of arms among militias and those outside the law.

We understand the Prosecutor's concern about the reports of incidents of the arbitrary detention and abuse of migrants. We recognize migrants' rights and are aware of the degree to which they have suffered, owing to the unstable security situation and the proliferation of militias and weapons in Libya. However, the reports of the Prosecutor, the United Nations Support Mission in Libya and other relevant organizations seem to emphasize crimes and violations in Libya without, however, acknowledging the problems of trafficking in persons and other atrocity crimes against migrants, and ignoring the issue of human trafficking, which is one of the most heinous crimes perpetrated by criminal transnational networks. Those crimes must be combated in accordance with international humanitarian law and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, known as the Palermo Convention, and the relevant Security Council resolutions. We hope that future reports will mention the proceedings that are being undertaken to fight such criminal networks in their countries of origin and destination. We all know that my country is one of transit, and that our security situation is unstable. Without the presence of these criminal networks in their countries of origin and destination, we in the countries of transit would not be dealing with these kinds of violations.

In conclusion, the Government of National Accord is determined to punish the perpetrators of every crime and to combat impunity, in accordance with the principle of territorial sovereignty and the primacy of the law. Our national jurisdiction is very important to the Libyan authorities, but that certainly does not mean that they do not respect the decisions of the ICC. On the contrary, the Court obliges our authorities to take on their responsibility for prosecuting the criminals. Libyan justice is independent and has integrity, and it is also focused on achieving social justice. In that regard, a memorandum of understanding on criminal justice was concluded in April between the United States and Libya, aimed at strengthening the capacities of professionals in the justice sector in order to enable Libya to meet its obligations in this area. In that regard, the Libyan authorities hope to see greater support from the international community aimed at enabling the rebuilding of the security and administrative situation and launching efforts that can help to strengthen the rule of law. We also hope to increase cooperation and complementarity with the ICC, while respecting Libyan sovereignty and our national legislation.

The meeting rose at 11.40 a.m.